

A.M. No. 02-8-13-SC

2004 RULES ON NOTARIAL PRACTICE

QUESTIONS AND ANSWERS

by JD 3A & 3B

RULE I Implementation

QUESTION: Under RULE I Implementation, what are the three primary purposes for which the 2004 Rules on Notarial Practice, as amended, shall be applied and construed?

ANSWER:

- (1) To promote, serve, and protect public interest;
- (2) To simplify, clarify, and modernize the rules governing notaries public; and
- (3) To foster ethical conduct among notaries public.

Legal Basis: Rule I, Section 2 (a), (b), and (c), Rules on Notarial Practice of 2004

QUESTION: Under RULE I Implementation, how should words in the singular or plural be interpreted under the 2004 Rules on Notarial Practice, as amended, barring any indication to the contrary from the context?

ANSWER: Words in the singular include the plural, and words in the plural include the singular.

Legal Basis: Rule I, Section 3, Rules on Notarial Practice of 2004

QUESTION: True or False: Under RULE I Implementation, unless the context otherwise indicates, words in the singular are strictly limited to the singular and do not include the plural. True or False?

ANSWER: FALSE. Words in the singular include the plural, and words in the plural include the singular, unless the context indicates otherwise.

Legal Basis: Rule I, Section 3, Rules on Notarial Practice of 2004

RULE II Definitions

QUESTION: Under RULE II Definitions, what term refers to an act where an individual appears before a notary and acknowledges that the signature was voluntarily affixed?

ANSWER: Acknowledgment.

Legal Basis: Rule II, Sec. 1(a), Rules on Notarial Practice of 2004

QUESTION: Under RULE II Definitions, what term refers to an act where an individual avows under penalty of law to the whole truth of the contents of a document?

ANSWER: Affirmation or Oath.

Legal Basis: Rule II, Sec. 2(c), Rules on Notarial Practice of 2004

QUESTION: Under RULE II Definitions, what term refers to the grant of authority to perform notarial acts and the written evidence of that authority?

ANSWER: Commission.

Legal Basis: Rule II, Sec. 3, Rules on Notarial Practice of 2004

QUESTION: Under RULE II Definitions, what are the four steps a notary public must complete to perform a Copy Certification?

ANSWER:

- (a) Be presented with an instrument or document that is not a vital record, a public record, or publicly recordable.

- (b) Copy or supervise the copying of that instrument or document.
- (c) Compare the original instrument or document with the copy.
- (d) Determine that the copy is accurate and complete.

Legal Basis: Rule II, Section 4, Rules on Notarial Practice of 2004

QUESTION: True or False: Under RULE II Definitions, during a Copy Certification, a notary public can copy and certify a document even if it is a vital record or a public record.

ANSWER: FALSE. Under the rules, a notary public can only perform a Copy Certification on an instrument or document that is neither a vital record, a public record, nor publicly recordable.

Legal Basis: Rule II, Section 4(a), Rules on Notarial Practice of 2004

QUESTION: Under RULE II Definitions, what refers to a permanently bound book with numbered pages containing a chronological record of notarial acts performed by a notary public?

ANSWER: Notarial Register

Legal Basis: Rule II, Section 5, Rules on Notarial Practice of 2004

QUESTION: Under RULE II Definitions, what are the four requisites of a jurat?

ANSWER: An individual must:

- (a) Appear in person before the notary public and present the document;
- (b) Be personally known or properly identified by the notary public;
- (c) Sign the document in the presence of the notary; and
- (d) Take an oath or affirmation before the notary public as to the document.

Legal Basis: Rule II, Section 6 (Jurat), Rules on Notarial Practice of 2004

QUESTION: True or False: Under RULE II Definitions, an individual in a jurat may be identified by the notary public through any form of identification, regardless of whether it qualifies as competent evidence of identity.

ANSWER: FALSE. Under Section 6(b) of the 2004 Rules on Notarial Practice, the individual must either be personally known to the notary public or be identified by the notary public through competent evidence of identity as defined by the Rules.

Legal Basis: Rule II, Section 6, subsection (b), Rules on Notarial Practice of 2004

QUESTION: Under RULE II Definitions, what specific terms refer to any act that a notary public is empowered to perform under the rules?

ANSWER: "Notarial Act" and "Notarization"

Legal Basis: Rule II, Section 7, Rules on Notarial Practice of 2004

QUESTION: Under RULE II Definitions, what is referred to as any person commissioned to perform official acts?

ANSWER: Notary Public and Notary

Legal basis: Rule II, Section 9, Rules on Notarial Practice of 2004

QUESTION: Under RULE II Definitions, what is referred to as a person appearing before the notary public whose act is the subject of notarization?

ANSWER: Principal

Legal basis: Rule II, Section 10, Rules on Notarial Practice of 2004

QUESTION: Under RULE II Definitions, this refers to a stationary office in the city or province wherein the notary public renders legal and notarial services.

ANSWER: Regular Place of Work or Business

Legal basis: Rule II, Section 11, Rules on Notarial Practice of 2004

QUESTION: Under RULE II Definitions, how many current identification documents issued by an official agency bearing the photograph and signature of the individual are at least required to establish "competent evidence of identity"?

ANSWER: At least one current identification document.

Legal basis: Rule II, Section 12(a), Rules on Notarial Practice of 2004

QUESTION: Under RULE II Definitions, what is the term used to refer to a device used by a notary public for affixing a mark, image, or impression on officially signed papers?

ANSWER: Official Seal or Seal

Legal Basis: Rule II, Section 13, Rules on Notarial Practice of 2004

QUESTION: Under RULE II Definitions, what are the requirements for signature witnessing?

ANSWER:

The requirements are:

- (a) The individual appears in person before the notary public and presents an instrument or document;
- (b) The individual is personally known to the notary public or identified by the notary public through competent evidence of identity as defined by the Rules; and
- (c) The individual signs the instrument or document in the presence of the notary public.

Legal Basis: Rule II, Section 14, Rules on Notarial Practice of 2004

QUESTION: Under RULE II Definitions, does the word "Court" refer to the Supreme Court or the Regional Trial Court?

ANSWER: The Supreme Court.

Legal Basis: Rule II, Section 15, Rules on Notarial Practice of 2004

QUESTION: Under RULE II Definitions, this refers to a person who applies for a notarial commission.

ANSWER: Petitioner.

Legal Basis: Rule II, Section 16, Rules on Notarial Practice of 2004

QUESTION: True or False. Under RULE II Definitions, the "Office of the Court Administrator" refers to the Office of the Court Administrator of the Regional Trial Court.

ANSWER: FALSE. It should be the Supreme Court not the Regional Trial Court.

Legal Basis: Rule II, Section 17, Rules on Notarial Practice of 2004

QUESTION: True or False. Under RULE II Definitions, the Executive Judge has the authority to issue a notarial commission to a qualified applicant who complies with the requirements prescribed by the Rules on Notarial Practice.

ANSWER: TRUE. "Executive Judge" refers to the Executive Judge of the Regional Trial Court of a city or province who issues a notarial commission.

Legal Basis: Rule II, Section 18

RULE III Commissioning of Notary Public

QUESTION: Under RULE III Commissioning of Notary Public, which of the following is **NOT** a required qualification for a petitioner seeking a notarial commission?

- A. Must have resided in the Philippines for at least two (2) years - one year (1) only
- B. Must be a member of the Philippine Bar in good standing.
- C. Must be at least twenty-one years of age.

ANSWER: A. Must have resided in the Philippines for at least two (2) years.

Legal Basis: Rule III, Section 1(3), Rules on Notarial Practice of 2004

QUESTION: Under RULE III Commissioning of Notary Public, a person applying for a notary public commission must pay the required application fee to which of the following officers?

- A. The Executive Judge
- B. The Clerk of the Regional Trial Court
- C. The Integrated Bar of the Philippines (IBP) Chapter President

ANSWER: B. The Clerk of the Regional Trial Court

Legal Basis: Rule 3, Section 3 specifies that the petitioner must pay the application fee to the Clerk of Court of the Regional Trial Court.

QUESTION: Under RULE III Commissioning of Notary Public, a notary public's commission is about to expire. He files his application for renewal 20 days before expiration, attaching an impression of his official seal. Is the application within the prescribed rules?

ANSWER: YES, Supreme Court En Banc decision 2025. The 2025 amendment to A.M. No. 02-8-13-SC modernizes the reporting and preservation of notarial records; it does not abolish traditional notarization under the 2004 Rules. The Supreme Court expressly explains that paper documents and instruments continue to be governed by the 2004 Notarial Rules.

QUESTION: Under RULE III Commissioning of Notary Public, what are the qualifications to be eligible for commissioning as notary public? Enumerate at least three (3) qualifications.

ANSWER:

- (1) must be a citizen of the Philippines;
- (2) must be over twenty-one (21) years of age;
- (3) must be a resident in the Philippines for at least one (1) year and maintains a regular place of work or business in the city or province where the commission is to be issued;
- (4) must be a member of the Philippine Bar in good standing with clearances from the Office of the Bar Confidant of the Supreme Court and the Integrated Bar of the Philippines; and
- (5) must not have been convicted in the first instance of any crime involving moral turpitude.

Legal Basis: Rule III, Section 1, Rules on Notarial Practice of 2004

QUESTION: True or False: Under RULE III Commissioning of Notary Public, every petition for a notarial commission shall be in writing, verified and shall include a certification of good moral character of the petitioner by at least one (1) executive officer of the regional chapter of the IBP when he is applying for commission.

ANSWER:

FALSE. Every petition for a notarial commission shall be in writing, verified and shall include a certification of good moral character of the petitioner by at least two (2) executive officers of the local chapter of the IBP when he is applying for commission.

Legal Basis: Rule III, Section 2(b), Rules on Notarial Practice of 2004

QUESTION: True or false. Under RULE III Commissioning of Notary Public, every person commissioned as notary public can have several official seals of office in accordance with these Rules.

ANSWER: FALSE. Every person commissioned as notary public shall have only one official seal of office in accordance with these Rules.

Legal basis: Rule III, Section 10, Rules on Notarial Practice of 2004

QUESTION: Under RULE III Commissioning of Notary Public, determine which of the following is the correct Section as provided by Rules of Notarial Practice:

(A) The notice of summary hearing shall be published in a newspaper of general circulation in the city or province where the hearing shall be conducted and posted in a conspicuous place in the offices of the Executive Judge and of the Clerk of Court. The cost of the publication shall be borne by the petitioner. The notice may include more than one petitioner

(B) The notice of summary hearing shall be published in a newspaper of general circulation in the city or province where the hearing shall be conducted and posted in any place in the offices of the Executive Judge and of the Clerk of court. The cost of the publication shall be borne by the Defendant. The notice may not include more than one petitioner.

ANSWER: (A) The notice of summary hearing shall be published in a newspaper of general circulation in the city or province where the hearing shall be conducted and posted in a conspicuous place in the offices of the Executive Judge and of the Clerk of Court. The cost of the publication shall be borne by the petitioner. The notice may include more than one petitioner

Legal Basis: Rule III, Section 5, Rules on Notarial Practice of 2004

QUESTION: Under RULE III Commissioning of Notary Public, what specific type of hearing must an Executive Judge conduct to evaluate a petition for a notarial commission?

ANSWER: Summary Hearing. The Executive Judge shall conduct a summary hearing on the petition

Legal Basis: Rule III, Section 4, Rules on Notarial Practice of 2004

QUESTION: True or False: Under RULE III Commissioning of Notary Public, in opposition against a petition for a notarial commission, the opposing party must also be a member of the Philippine Bar to properly demonstrate his/her legal standing to oppose the petition.

ANSWER: FALSE. Any person who has any cause or reason to object to the grant of the petition may file a verified written opposition thereto. The opposition must be received by the Executive Judge before the date of the summary hearing.

Legal Basis: Rule III, Section 6, Rules on Notarial Practice of 2004

QUESTION: Under RULE III Commissioning of Notary Public, what are the fundamental requirements for the form of a petition for a notarial commission?

- a. It must be printed and notarized.
- b. It must be in writing and witnessed.
- c. It must be typed and authenticated.
- d. It must be in writing and authenticated.

ANSWER. D. The provision expressly states that "Every petition for a notarial commission shall be in writing, verified and shall include the following..."

Legal Basis: Rule III, Section 2

QUESTION: Under RULE III Commissioning of Notary Public, which of the following details is NOT specifically listed as a requirement in the petitioner's statement of personal qualifications?

- a. Tax Identification Number
- b. Professional Tax Receipt
- c. Date of birth
- d. Roll of Attorney's Number

ANSWER: A. TIN was not mentioned.

Legal Basis: RULE III, Section 2(a): a statement containing the petitioner's personal qualifications, including the petitioner's date of birth, residence, telephone and/or mobile number, valid and professional email address of record, professional tax receipt, roll or attorney's number, Integrated Bar of the Philippines (IBP) membership number, Mandatory Continuing Legal Education compliance number, and Unified Legal Aid Service compliance number.

QUESTION: Under RULE III Commissioning of Notary Public, where can a commissioned notary public perform notarial acts?

ANSWER: In any place within the territorial jurisdiction of the commissioning court.

Legal Basis: Rule III, Section 11 (Jurisdiction and Term)

QUESTION: Under RULE III Commissioning of Notary Public, a notary public's commission is absolute and cannot be shortened once it commences, as long as the two-year period has not yet lapsed.

ANSWER: FALSE. *(A notary public's commission is not absolute; Section 11 of Rule 111 expressly provides that it can be shortened if it is "earlier revoked" or if the notary public "has resigned.")*

QUESTION: Under RULE III Commissioning of Notary Public, what is the exact day and month on which a notary public's two-year term officially commences.

ANSWER: The two-year period commences on "the first day of January of the year in which the commissioning is made."

Legal Basis: Rule III, Section 11 (Jurisdiction and Term)

QUESTION: Under RULE III Commissioning of Notary Public, who is responsible for keeping and maintaining the Register of Notaries Public in his jurisdiction?

ANSWER:

The Executive Judge (Rule III, Section 12 of the Rules on Notarial Practice)

QUESTION: Under RULE III Commissioning of Notary Public, what information shall the Register of Notaries Public contain, from which the Executive Judge is required to keep and maintain?

ANSWER:

1. The dates of issuance or revocation or suspension of notarial commissions, and
2. the resignation or death of notaries public. (Rule III, Section 12 of the Rules on Notarial Practice)

QUESTION: Under RULE III Commissioning of Notary Public, what kind of database shall the Office of the Court Administrator keep for the records of notaries public?

ANSWER:

A permanent, complete and updated database. (Rule III, Section 12 of the Rules on Notarial Practice)

QUESTION: Under RULE III Commissioning of Notary Public, what must be attached to the application for renewal of a notary public's commission?

ANSWER: A mark, image, or impression of the seal of the notary public. (Rule 3, Section 13)

QUESTION: Under RULE III Commissioning of Notary Public, how many days before the expiration of the commission may a notary public file an application for renewal?

ANSWER: Forty-five (45) days before the expiration of the commission. (Rule 3, Section 13)

QUESTION: True or False: Under RULE III Commissioning of Notary Public, a notary public may file an application for renewal after the expiration of his commission.

ANSWER: False.

Legal Basis: Under Section 13, a notary public may file a written application for the renewal of his commission within forty-five (45) days before the expiration of his current commission. Therefore, the application should be filed before the commission expires, not after its expiration.

QUESTION: Under RULE III Commissioning of Notary Public, what is the prescribed period for an Executive Judge to act on an application for the renewal of a notarial commission?

ANSWER: The Executive Judge is required to act on the renewal application within thirty (30) days from its receipt. (Rule 3, Section 14)

QUESTION: True or False: Under RULE III Commissioning of Notary Public, the thirty (30) day period within which an Executive Judge must act on an application for the renewal of a notarial commission begins running immediately upon the physical receipt of the application.

ANSWER: False

Legal Basis: Under Section 14 of the Rules on Notarial Practice, the Executive Judge is mandated to act on an application for the renewal of a commission within thirty (30) days from receipt thereof "upon payment of the application fee". (Rule 3, Section 14)

QUESTION: Under RULE III Commissioning of Notary Public, if an Executive Judge decides to deny an attorney's application for the renewal of their notarial commission, what procedural requirement must the judge comply with in the order of denial?

ANSWER: If the application for renewal is denied, the Executive Judge is legally mandated to explicitly state the reasons for the denial. (Rule 3, Section 14)

RULE IV Powers and Limitations of Notaries Public

QUESTION: Under RULE IV Powers and Limitations of Notaries Public, what are the notarial acts empowered to a notary public?

ANSWER: Under Rule IV (A) of the Rules on Notarial Practice, a notary public is empowered to perform the following notarial acts:

- (1) acknowledgments;
- (2) oaths and affirmations;
- (3) jurats;
- (4) signature witnessings;
- (5) copy certifications; and
- (6) any other act authorized by these Rules.

QUESTION: Under RULE IV Powers and Limitations of Notaries Public, are the powers of a notary public exclusive, and what limitations govern the exercise of these powers?

ANSWER: No, the powers of a notary public are enumerated but not exclusive. Rule IV, Section 1(a) of the 2004 Rules on Notarial Practice expressly provides six general powers: acknowledgments, oaths and affirmations, jurats, signature witnessings, copy certifications, and "*any other act authorized by these Rules.*" That last clause means the list is not closed—other acts may be performed if specifically authorized by law or the Rules. Thus, the powers are defined but not strictly exclusive.

QUESTION: Under RULE IV Powers and Limitations of Notaries Public, when is a notary public authorized to certify the affixing of a signature by thumb or other mark on a document presented for notarization?

ANSWER: Under Rule IV (B) of the Rules on Notarial Practice, a notary public is authorized to certify the affixing of a signature by thumb or other mark on an instrument or document presented for notarization if:

- (1) the thumb or other mark is affixed in the presence of the notary public and of two (2) disinterested and unaffected witnesses to the instrument or document;
- (2) both witnesses sign their own names in addition to the thumb or other mark;
- (3) the notary public writes below the thumb or other mark: "Thumb or Other Mark affixed by (name of signatory by mark) in the presence of (names and addresses of witnesses) and undersigned notary public"; and
- (4) the notary public notarizes the signature by thumb or other mark through an acknowledgment, jurat, or signature witnessing.

QUESTIONS: Under RULE IV Powers and Limitations of Notaries Public, what is the effect if one of the enumerated requirements for certifying a signature by thumb or other mark is not complied with?

ANSWER: If any of the mandatory requirements under Rule IV(b) are not followed, the integrity of the document is undermined. The act of notarization loses its presumption of regularity and authenticity, because the safeguards ensuring voluntariness and genuineness of the thumb or other mark were not observed. Notarization is invested with substantive public interest because it converts a private document into a public document, making it admissible in evidence without further proof of authenticity. Failing to adhere to the required notarial procedures undermines the public's confidence in the integrity of the document. **(A.C. No. 12455)**

QUESTION: Under RULE IV Powers and Limitations of Notaries Public, how many witnesses should sign if the signatory is unable to sign or make a mark on an instrument for it to be valid?

ANSWER: Two disinterested and unaffected witnesses should sign the document for it to be valid. **(Rule IV, Sec 1(c)(2 & 3))**

QUESTION: Under RULE IV Powers and Limitations of Notaries Public, a notary public is authorized to sign on behalf of a person who is physically unable to sign or make a mark on an instrument or document even if the notary public not is directed by the person unable to sign or make a mark to sign on his behalf.

ANSWER: FALSE. The notary public should be directed by the person who is physically unable to sign or make a mark on an instrument or document **(Rule IV Section 1(c)(1))**.

QUESTION 1: Under RULE IV Powers and Limitations of Notaries Public, when is a notary public disqualified from performing a notarial act? Give at least three circumstances that would disqualify a notary public from notarizing an instrument or document.

ANSWER:

A notary public is disqualified from performing a notarial act when:

1. He is a party to the instrument or document that is to be notarized;
2. He will receive a direct or indirect benefit or consideration from the notarization, such as a commission, fee, advantage, right, title, interest, cash, or property, except as allowed by the Rules and by law; or
3. He is related to the principal within the fourth civil degree, including a spouse, common-law partner, ancestor, descendant, or relative by affinity or consanguinity.

Legal Basis: Rule IV, Section 3 - Disqualifications subsections a, b, c

QUESTION 2: Which of the following acts is PROHIBITED under Section 5 of RULE IV Powers and Limitations of Notaries Public?

- A. Refusing to notarize a document when the certificate contains false information.
- B. Executing a certificate containing information that the notary knows or believes to be false.
- C. Reviewing the contents of a document before notarization.
- D. Requiring the principal to complete the necessary information before notarization.

ANSWER:

B. Executing a certificate containing information that the notary knows or believes to be false.

Legal Basis: Rule IV, Section 5, - False or Incomplete Certificate

QUESTION: Under RULE IV Powers and Limitations of Notaries Public, a notary public is generally prohibited from performing notarial acts outside their regular place of work or business. However, on exceptional occasions, they may do so at the request of the parties in specific sites within their territorial jurisdiction. Which of the following is NOT one of these authorized exceptional sites?

- A) Public offices or convention halls where oaths of office may be administered.
- B) Public function areas in hotels and similar places for the signing of instruments or documents requiring notarization.
- C) A private residence of a party who finds it more convenient than traveling to the notary's office.

D) Hospitals and other medical institutions where a party to an instrument or document is confined for treatment.

ANSWER: C. A private residence for mere convenience is not listed as an exception.

Legal Basis: Rule IV, Section 2(a) of the 2004 Rules on Notarial Practice

RULE V Fees of Notary Public

QUESTION:

Under RULE V Fees of Notary Public, enumerate the three duties of a notary public who charges fees for notarial services.

ANSWER:

1. Issue a receipt registered with the Bureau of Internal Revenue (BIR).
2. Keep a journal of notarial fees and enter all fees charged for services rendered.
3. Post in a conspicuous place in the office a complete schedule of chargeable notarial fees.

Legal Basis:

Rule V, Section 5 - Notice of Fees

QUESTION: According to RULE V Fees of Notary Public, under what condition may a notary public charge travel fees and expenses separate and apart from the prescribed notarial fees?

ANSWER: A notary public may charge travel fees and expenses separate and apart from prescribed fees if the notary public and the person requesting the notarial act agree prior to the travel.

Legal Basis: Rule V, Section 2 (*Travel Fees and Expenses*)

QUESTION: Under RULE V Fees of Notary Public, what specific digital processing activities are strictly prohibited from having fees or charges collected or received by a notary public?

ANSWER: A notary public is prohibited from collecting or receiving any fee or charge for:

- (1) The digitization of any instrument or document;
- (2) Their transmittal, storage, disposal, or other forms of processing; or
- (3) Any costs associated with such digitization and processing.

Legal Basis: Rule V, Section 3 (*Prohibited Fees*), as amended in 2025

QUESTION: Under RULE V Fees of Notary Public, what happens to travel fees and expenses that were paid prior to the performance of a notarial act if the notary public already traveled but failed to complete the act?

ANSWER: They are not subject to refund if the failure to complete the act was for reasons beyond his control and without negligence on his part.

Legal Basis: Section 4, Paragraph 2, Rule V

QUESTION: Under RULE V Fees of Notary Public, under what specific exception can a notary public validly require the payment of fees *prior* to the performance of a notarial act?

ANSWER: Unless otherwise agreed upon.

Legal Basis: Section 4, Paragraph 1, Rule V

QUESTION: Under RULE V Fees of Notary Public, how much may a notary public charge for performing a notarial act, and may the notary public waive the fee?

ANSWER: A notary public may charge the maximum fee prescribed by the Supreme Court for performing a notarial act. However, the notary public may waive the fee entirely or partially.

Legal Basis: **RULE V, SECTION 1.**

QUESTION: Under RULE V Fees of Notary Public, what are the duties of a notary public who charges fees for notarial services?

ANSWER: A notary public who charges fees must:

1. Issue a receipt registered with the Bureau of Internal Revenue (BIR);
2. Keep a journal of notarial fees and record all fees charged for services rendered; and
3. Post a complete schedule of chargeable notarial fees in a conspicuous place in the notary's office.

ALTERNATIVE SUBSTANTIAL ANSWER: The notary must give a proper receipt, record all fees, and publicly display the fees charged.

Legal Basis: *RULE V, SECTION 5.*

RULE VI Notarial Register

QUESTION: Under RULE VI Notarial Register, who is required to sign or affix a thumbmark in the notary's notarial register at the time of notarization?

ANSWER: The following individuals must sign or affix a thumbmark (or other mark) in the notarial register:

1. Each principal.
2. Each credible witness swearing or affirming to the identity of a principal.
3. Each witness to a signature by thumb or other mark, or to a signing by the notary public on behalf of a person physically unable to sign.

Legal Basis: Section 3, Rule VI

QUESTION: Under RULE VI Notarial Register, how many active notarial registers is a notary public allowed to maintain at one time?

ANSWER: A notary public is permitted to keep only one active notarial register at any given time.

Legal Basis: Section 1, Rule VI

QUESTION: Under RULE VI Notarial Register, what are the strict conditions that must be met before a member of the public is allowed to inspect an entry in the notarial register?

ANSWER:

1. The person's identity must be personally known to the notary or proven through competent evidence.
2. The person must affix their signature and thumb/other mark in a separate, dated entry.
3. The person must specify the month, year, type of instrument, and name of the principal.
4. The person is shown only the specific entry or entries they requested.

Legal Basis: Section 4, Rule VI

QUESTION: Under RULE VI Notarial Register, on what specific ground must a notary public deny a request to access, inspect, or copy entries in the notarial register?

ANSWER: If the notary public has reasonable ground to believe that the requester has a criminal intent or wrongful motive.

Legal Basis: Section 4, Rule VI

QUESTION: Under RULE VI Notarial Register, what is the condition that must be met for a notary public to supply a certified true copy of an entry or record from their notarial register to an applicant?

ANSWER: Upon payment of the legal fees, the notary public shall supply a certified true copy of the notarial record, or any part thereof, to any person applying for such copy.

Legal Basis: Section 6, Rule VI

QUESTION: Under RULE VI Notarial Register, what is the legal duty of a notary public regarding their notarial register and notarial records upon the revocation or expiration of their commission, or in the event of their death?

ANSWER: Upon revocation or expiration of a notarial commission, or death of the notary public, the notarial register and notarial records shall immediately be delivered to the office of the Executive Judge.

Legal Basis: Section 5, Rule VI

QUESTION: Under RULE VI Notarial Register, in what format must the duplicate original copy of a notarized contract be retained for the Clerk of Court?

ANSWER: It must be in an individual PDF file (a complete and legible reproduction of the original in paper, preserving colors and marks as far as practicable).

Legal Basis: Section 2, Rule VI

QUESTION: Under RULE VI Notarial Register, what must a notary public do if the notarial register is stolen, lost, destroyed, damaged, or rendered unusable or illegible?

ANSWER: Notify the Executive Judge within ten (10) days; in cases of theft or vandalism, the notary must first inform the appropriate law enforcement agency and provide a copy or number of the pertinent police report.

Legal Basis: Section 5, Rule VI

QUESTION: Under RULE VI Notarial Register, who can sign the notary's notarial register on behalf of a person unable to physically sign?

ANSWER: Witness to a signature by thumb or other mark, or to a signing by the notary public on behalf of a person physically unable to sign.

Legal Basis: Section 3, Rule VI

QUESTION: Under RULE VI Notarial Register, who may inspect an entry in the notarial register?

ANSWER: Any person provided, they do it within the business hours.

Legal Basis: Section 4, Rule VI

QUESTION: Under RULE VI Notarial Register, may a notary public maintain separate notarial registers for different types of transactions (such as one for deeds of sale and one for contracts of lease) to ensure better organization?

ANSWER: NO. A notary public shall keep only one active notarial register at any given time.

Legal Basis: Section 1(b), Rule VI

QUESTION: Under RULE VI Notarial Register, if a client brings a document to a notary but walks out midway through the process without completing it, what must the notary record in the register?

ANSWER: A notary public shall record in the notarial register the reasons and circumstances for not completing a notarial act.

Legal Basis: Section 2(b), Rule VI

QUESTION: Under RULE VI Notarial Register, is a notary public exempt from forwarding any report or submission to the Clerk of Court for a month in which they performed absolutely zero notarial acts?

ANSWER: NO. If there is no entry to certify for the month, the notary shall forward a statement to this effect in lieu of certified copies herein required.

Legal Basis: Section 3(h), Rule VI

QUESTION: Under RULE VI Notarial Register, if a notary public notarizes ten jurat acts and two acknowledgments in a month, is the notary public legally required to forward duplicate original copies of the jurat documents to the Clerk of Court within the first ten days of the succeeding month?

ANSWER: NO. A certified copy of each month's entries and a duplicate original copy of any instrument acknowledged before the notary public shall, within the first ten (10) days of the month following, be forwarded to the Clerk of Court and shall be under the responsibility of such officer.

Legal Basis: Section 2(h), Rule VI

RULE VII Signature and Seal of Notary Public

QUESTION: Under RULE VII Signature and Seal of Notary Public, as amended in 2025, which of the following is correct regarding the requirement to ensure that the impression of the official seal is visible when digitized in electronic file format?

ANSWER: The notary public is enjoined to ensure visibility by means of ink, shading, or a similar mechanism on the original mark, image, or impression.

Legal Basis: Section 2(f), Rule VII

QUESTION: Under RULE VII Signature and Seal of Notary Public, within how many days after the official seal of a notary public is stolen, lost, damaged, or otherwise rendered unserviceable must the notary public notify the Executive Judge in writing?

ANSWER: The notary public must notify the executive judge in writing within five (5) days.

Legal Basis: Section 2(d), Rule VII

QUESTION: Under RULE VII Signature and Seal of Notary Public, can a vendor or manufacturer sell notarial seals to anyone without authorization?

ANSWER: No. A vendor or manufacturer of notarial seals may not sell said product without a written authorization from the Executive Judge.

Legal Basis: Section 4(a), Rule VII

QUESTION: Under RULE VII Signature and Seal of Notary Public, in the event of a notary public's death, who bears the duty to surrender the official seal to the Executive Judge?

ANSWER: In the event of death of the notary public, the person in possession of the official seal shall have the duty to surrender it to the Executive Judge.

Legal Basis: Section 2(e), Rule VII

RULE VIII Notarial Certificates

QUESTION: Under RULE VIII Notarial Certificates, what happens if a notarial document does not conform to the prescribed requirements?

ANSWER: Its validity or evidentiary effect may be affected, and the notary public may also be subject to appropriate administrative or legal consequences, depending on the violation.

Legal Basis: Section 1, Rule VIII

QUESTION: Under RULE VIII Notarial Certificates, is it sufficient that a document is notarized for it to be considered valid?

ANSWER: No. The document must also comply with the formal and substantive requirements prescribed by the notarial rules, the Rules of Court, Supreme Court issuances, and applicable laws.

Legal Basis: Section 1, Rule VIII

QUESTION: Under RULE VIII Notarial Certificates, what must a notarial certificate contain?

ANSWER: The notarial certificate must include the name of the notary public as exactly indicated in the commission, the serial number of the commission, the words "Notary Public," the province or city where the notary is commissioned, the expiration date of the commission, the notary's office address, the Roll of Attorneys number, the Professional Tax Receipt (PTR) number and place and date of issuance, and the IBP membership number.

Legal Basis: Section 2, Rule VIII

QUESTION: Under RULE VIII Notarial Certificates, how must the notary public's name appear in the concluding part of the notarial certificate?

ANSWER: As exactly indicated in the commission.

Legal Basis: Section 2, Rule VIII

QUESTION: Under RULE VIII Notarial Certificates, the notarial form used for any document only needs to conform to the 2004 Rules on Notarial Practice and does not need to comply with the Rules of Court or other Supreme Court issuances.

ANSWER: False. The form must conform to the requisites prescribed in the Notarial Rules, the Rules of Court, and all other provisions of issuances by the Supreme Court and in applicable laws.

Legal Basis: Section 1, Rule VIII

RULE IX Certificate of Authority of Notaries Public

QUESTION: Under RULE IX Certificate of Authority of Notaries Public, who has the power to issue a certificate of authority evidencing the authenticity of the official seal and signature of a notary public?

ANSWER: The Executive Judge.

Legal Basis: Section 1, Rule IX

QUESTION: True or False: Under RULE IX Certificate of Authority of Notaries Public, a Certificate of Authority for a Notarial Act explicitly certifies that the notary public was authorized to act as such at the exact time the attached document was notarized.

ANSWER: True.

Legal Basis: Section 1, Rule IX

RULE X Changes of Status of Notary Public

QUESTION: Under Rule X on the Changes of Status of Notary Public, within how many days must a notary public submit a signed and dated notice to the Executive Judge after a change of name or ceasing to maintain a regular place of work or business?

ANSWER: 10 days.

Legal Basis: Section 1, Rule X

QUESTION: Under Rule X on the Changes of Status of Notary Public, to whom must the notice of a change of name or address be submitted?

ANSWER: The Executive Judge.

Legal Basis: Section 1 & 2, Rule X

QUESTION: Under Rule X on the Changes of Status of Notary Public, pending confirmation and obtaining a new seal, for how long may a notary public continue using their former name or regular place of work or business?

ANSWER: 3 months.

Legal Basis: Section 1, Rule X

QUESTION: Under Rule X on the Changes of Status of Notary Public, how long is the maximum extension period that the Executive Judge may grant for using the former name or place of business, and how many times can it be granted?

ANSWER: 3 months, extended once.

Legal Basis: Section 1, Rule X

QUESTION: Under Rule X on the Changes of Status of Notary Public, what must a notary public submit along with their formal notice of resignation?

ANSWER: Formal notice together with the seal, register, and records.

Legal Basis: Section 2, Rule X

QUESTION: Under Rule X on the Changes of Status of Notary Public, who may submit the formal notice of resignation if the notary public is incapacitated from appearing personally?

ANSWER: Duly authorized representative.

Legal Basis: Section 2, Rule X

QUESTION: Under Rule X on the Changes of Status of Notary Public, which specific legal events trigger the requirement for a notary public to submit a change of name notice to the Executive Judge?

ANSWER: A change of name by court order or by marriage.

Legal Basis: Section 1, Rule X

QUESTION: Under Rule X on the Changes of Status of Notary Public, what two specific items/authorisations must a notary public obtain or receive before they can officially resume performing notarial acts under their newly changed name?

ANSWER: A confirmation of the change of name from the Executive Judge and a new seal bearing the new name.

Legal Basis: Section 1, Rule X

QUESTION: Under Rule X on the Changes of Status of Notary Public, from which specific date does a notary public's resignation become effective, requiring them to immediately cease performing notarial acts?

ANSWER: The date indicated in the written formal notice of resignation.

Legal Basis: Section 2, Rule X

QUESTION: Under Rule X on the Changes of Status of Notary Public, what are the precise formal written requirements for a resignation notice submitted by a notary public?

ANSWER: It must be a written, dated, and signed formal notice.

Legal Basis: Section 2, Rule X

QUESTION: Under Rule X on the Changes of Status of Notary Public, upon the resignation of a notary public, to whom shall the Executive Judge shall immediately order the Clerk of Court to?

ANSWER: The Clerk of Court, upon order of the Executive Judge, shall post the information regarding the resignation.

Legal Basis: Section 3, Rule X

QUESTION: Under Rule X on the Changes of Status of Notary Public, section 3, the information concerning the resignation shall be posted in?

ANSWER: The office of the Executive Judge and the Clerk of Court.

Legal Basis: Section 3, Rule X

QUESTION: Under Rule X on the Changes of Status of Notary Public, aside from the names of the resigned notaries, what other information must be posted?

ANSWER: The effective dates of their resignation.

Legal Basis: Section 3, Rule X

RULE XI Revocation of Commission and Disciplinary Sanctions

QUESTION: Under Rule XI on the Revocation of Commission and Disciplinary Sanctions, within how many days of the succeeding month must a notary public submit a copy of their notarial register entries to the Executive Judge?

ANSWER: Within the first ten (10) days.

Legal Basis: Section 1(b)(3), Rule XI

QUESTION: Under Rule XI on the Revocation of Commission and Disciplinary Sanctions, under what condition regarding the principal is a notary public required to perform a notarial act?

ANSWER: The notary public must require the presence of the principal at the time of the notarial act.

Legal Basis: Section 1(b)(7), Rule XI

QUESTION: Under Rule XI on the Revocation of Commission and Disciplinary Sanctions, who can file a petition or complaint for the revocation of a notarial commission or the imposition of administrative sanctions under Rule XI?

ANSWER:

A verified complaint for the revocation of a commission or the imposition of disciplinary sanctions may be filed by any interested, affected, or aggrieved person. Additionally, the Executive Judge has the authority to initiate administrative proceedings against an erring notary public *motu proprio*, or on their own initiative, without the need for a formal complaint from an external party.

Legal Basis: Section 1(c) & (d), Rule XI

QUESTION: Under Rule XI on the Revocation of Commission and Disciplinary Sanctions, if a notary public's answer to a complaint is found satisfactory by the Executive Judge, is a summary hearing still required?

ANSWER: No. A summary hearing is only conducted if that answer is found unsatisfactory.

Legal Basis: Section 1(c), Rule XI

QUESTION: Under Rule XI on the Revocation of Commission and Disciplinary Sanctions, if a notary public appeals an order imposing disciplinary sanctions to the Supreme Court, what is the status of that disciplinary order during the appeal process?

ANSWER: The order is immediately executory, unless the Supreme Court orders otherwise.

Legal Basis: Section 1(c), Rule XI

QUESTION: Under Rule XI on the Revocation of Commission and Disciplinary Sanctions, who is responsible for the supervision and monitoring of the Notaries Public?

ANSWER:

The Executive Judge shall at all times exercise supervision over notaries public and shall closely monitor their activities.

Legal Basis: Section 2, Rule XI

QUESTION: Under Rule XI on the Revocation of Commission and Disciplinary Sanctions, after a notary public is administratively sanctioned or has his commission revoked, what must the Executive Judge do about it?

ANSWER: The Executive Judge must immediately order the Clerk of Court to post the notary public's name in a conspicuous place in the offices of the Executive Judge and the Clerk of Court.

Legal Basis: Section 3, Rule XI

QUESTION: Under Rule XI on the Revocation of Commission and Disciplinary Sanctions, where must the Clerk of Court post the names of notaries public who have been administratively sanctioned or whose commissions have been revoked?

ANSWER: In a conspicuous place in the offices of the Executive Judge and of the Clerk of Court.

Legal Basis: Section 3, Rule XI

RULE XII Special Provisions

QUESTION: Under Rule XII on Special Provisions, what are the punishable acts in notarial practice?

ANSWER:

- A. knowingly acts or otherwise impersonates a notary public;
- B. knowingly obtains, conceals, defaces, or destroys the seal, notarial register, or official records of a notary public; and
- C. knowingly solicits, coerces, or in any way influences a notary public to commit official misconduct.

Legal Basis: Section 1, Rule XII

QUESTION: Under Rule XII on Special Provisions, how often is the Executive Judge required to report to the Supreme Court about disciplinary actions and prosecutions of notaries public?

ANSWER: Semestral, meaning twice a year.

Legal Basis: Section 2, Rule XII