

CAYMAN ISLANDS



NOTARIES PUBLIC (AMENDMENT) ACT, 2026

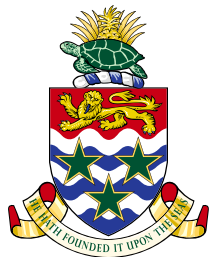
(Act 20 of 2026)

Supplement No. 2 published with Legislation Gazette No. 51 dated 28th October, 2026.

PUBLISHING DETAILS



CAYMAN ISLANDS



NOTARIES PUBLIC (AMENDMENT) ACT, 2026
(Act 20 of 2026)

Arrangement of Sections

Section	Page
1. Short title and commencement	5
2. General amendments to the principal Act - references to the words “Immigration (Transition) Act (2022 Revision)”, “Law” and “authorise”	6
3. Amendment of section 2 - interpretation.....	6
4. Amendment of section 3 - eligibility for appointment as notary public.....	6
5. Amendment of section 4 - authorization and application for appointment.....	8
6. Repeal and substitution of section 5 - appointment of notaries public	8
7. Amendment of section 8 - payment of annual fees.....	9
8. Amendment of section 9 - notarial acts	9
9. Amendment of section 11 - proceedings for misconduct	9
10. Insertion of section 11A - confidentiality of information.....	10
11. Amendment of section 15 - regulations	11
12. Repeal of section 17 and substitution - transitional provisions.....	12
13. Repeal and substitution of section 18 - validation.....	13
14. Amendment of Schedule 1 - form of application for appointment as notary public.....	13

CAYMAN ISLANDS

(Act 20 of 2026)

I Assent,



Jane Owen
Governor

Date: 26th October, 2026

NOTARIES PUBLIC (AMENDMENT) ACT, 2026

(Act 20 of 2026)

AN ACT TO AMEND THE NOTARIES PUBLIC ACT (2023 REVISION); TO INCREASE THE REQUIRED NUMBER OF YEARS OF PROFESSIONAL EXPERIENCE FOR A NOTARY PUBLIC; TO CREATE A DISTINCTION BETWEEN A NOTARY PUBLIC WHO IS AN ATTORNEY-AT-LAW AND ONE WHO IS A NON-ATTORNEY-AT-LAW; TO PROVIDE FOR AN INCREASE IN THE PENALTY FEE FOR A LAPSED APPOINTMENT; TO SET A MAXIMUM AGE LIMIT FOR ELIGIBILITY TO BE A NOTARY PUBLIC; TO PROVIDE THAT NOTARIES PUBLIC UPHOLD CONFIDENTIALITY IN THE PERFORMANCE OF THEIR DUTIES; TO PROVIDE TRANSITIONAL PROVISIONS FOR MANDATORY NOTARIAL PUBLIC TRAINING FOR A NOTARY PUBLIC WHO IS A NON-ATTORNEY-AT-LAW; AND FOR INCIDENTAL AND CONNECTED PURPOSES

ENACTED by the Legislature of the Cayman Islands.

Short title and commencement

- 1.** (1) This Act may be cited as the Notaries Public (Amendment) Act, 2026.
- (2) This Act comes into force on such date as may be appointed by Order made by the Cabinet and different provisions of this Act may be brought into force on different days and for different purposes.

General amendments to the principal Act - references to the words “Immigration (Transition) Act (2022 Revision)”, “Law” and “authorise”

2. The *Notaries Public Act (2023 Revision)*, in this Act referred to as the “principal Act”, is amended by deleting the words—
- (a) “*Immigration (Transition) Act (2022 Revision)*” wherever they appear and substituting the words “*Caymanian Protection Act (2022 Revision)*”;
 - (b) “Law” wherever it appears and substituting the word “Act”; and
 - (c) “authorise” “authorised” and “authorisation”, wherever they appear, and substituting respectively, the words “authorize”, “authorized” and “authorization”.

Amendment of section 2 - interpretation

3. The principal Act is amended in section 2 as follows —
- (a) by inserting in the appropriate alphabetical sequence, the following definitions —
 - “**attorney-at-law**” has the meaning assigned by section 2 of the *Legal Services Act, 2020*;
 - “**body responsible for the design and evaluation of the training programme**” means the Truman Bodden Law School or other person authorized by the Attorney General by Notice published in the *Gazette* or on a relevant Government website;
 - “**criminal record**” has the meaning assigned by section 2 of the *Criminal Records (Spent Convictions) Act (2018 Revision)*;
 - “**data subject**” has the meaning assigned by the *Data Protection Act (2021 Revision)*;
 - “**former notary public**” means a person who does not currently hold an appointment as a notary public under the Act;
 - “**medical doctor**” means a person qualified to practise as such and registered and licensed to practise under the *Health Practice Act (2026 Revision)*;
 - “**non-attorney-at-law**” means a person who is not an attorney-at-law; and
 - “**notaries public training programme**” means the programme prescribed under this Act for the training of notaries public;” and
 - (b) by deleting the definition of the words “**permanent resident**”.

Amendment of section 3 - eligibility for appointment as notary public

4. The principal Act is amended by repealing section 3 and substituting the following section —



“Eligibility for appointment as notary public

3. (1) Subject to subsection (3), a person is eligible to be appointed as a notary public if —
- (a) the person is a Caymanian who has been employed as, or has practised as, an attorney-at-law for a period of at least five years; or
 - (b) the person is a non-attorney-at-law who meets the requirements under subsection (2)(a), (b) or (c).
- (2) A Caymanian who —
- (a) has been employed in a management position in a company or in a public office for a period of at least six years;
 - (b) has been employed as, or has practised as, a certified public or chartered accountant for a period of at least five years; or
 - (c) has been employed in or has practised any other profession specified from time to time by the Cabinet by notice in the *Gazette* and government websites for such period of time as may be specified;
- and —
- (i) is a fit and proper person of good character, and is considered by the Cabinet to be qualified, by virtue of that person’s professional or business experience, to carry out the duties of a notary public;
 - (ii) is ordinarily resident in the Islands;
 - (iii) has never been convicted of a crime punishable with a term of imprisonment of twelve months or more;
 - (iv) has never been convicted of an offence involving dishonesty;
 - (v) has never had a conviction for a crime punishable with a term of imprisonment of twelve months or more or an offence involving dishonesty expunged or spent under the *Criminal Records (Spent Convictions) Act (2018 Revision)*; and
 - (vi) has never been found guilty of any act that constitutes misconduct in a professional respect or misconduct under this Act,
- is eligible to apply for appointment as a notary public.
- (3) A person who has attained the age of eighty years shall not be eligible to be appointed or re-appointed as a notary public unless that person is medically fit to perform the functions of a notary public.”.

Amendment of section 4 - authorization and application for appointment

5. The principal Act is amended in section 4 as follows —

- (a) in subsection (1) as follows —
 - (i) in paragraph (a), by deleting the words “or permanent residency”;
 - (ii) in paragraph (e), by deleting the word “and” appearing at the end of the paragraph; and
 - (iii) by inserting after paragraph (e), the following paragraph —

“(ea) in the case of an applicant who has attained the age of eighty years, a certificate of medical fitness by a medical doctor that establishes that the person is capable of performing the functions of a notary public; and”;
- (b) by repealing subsection (3) and substituting the following subsection —

“(3) On receipt of a recommendation under subsection (2)(a) the Cabinet may authorize the appointment of an eligible applicant as a notary public.”.

Repeal and substitution of section 5 - appointment of notaries public

6. The principal Act is amended by repealing section 5 and substituting the following section —

“Appointment of notaries public

5. (1) A person authorized by the Cabinet under section 4 shall be appointed as a notary public if the person —
- (a) participates in the notaries public training programme, where required, and provides proof of such participation to the Clerk;
 - (b) deposits with the Clerk an impression of the embossed notarial seal, substantially in the form set out in Schedule 3, to be used by that person in their capacity as a notary public;
 - (c) pays to the revenue of the Government the sum of five hundred dollars and produces the receipt for the payment to the Clerk;
 - (d) gives an undertaking signed by the applicant in which the applicant agrees to file with the Clerk a notice setting out any of the following eventualities that may occur subsequent to that applicant’s appointment as a notary public —
 - (i) change to that applicant’s name;
 - (ii) change to that applicant’s ordinary residence;
 - (iii) change to that applicant’s status as a Caymanian;
 - (iv) change to that applicant’s profession or occupation;



- (v) criminal conviction or determination of professional misconduct; or
 - (vi) adjudication as a bankrupt; and
- (e) takes the oath in Schedule 2 before the Clerk.
- (2) An attorney-at-law is exempt from participating in the notaries public training programme.
- (3) If an applicant fails to complete the requirements for appointment as a notary public specified under subsection (1) within forty-five days —
 - (a) in the case of an applicant who is an attorney-at-law, of authorization from Cabinet under section 4; and
 - (b) in the case of an applicant who is a non-attorney-at-law, of completion of the prescribed notaries public training programme,the authorization for appointment as a notary public shall lapse and the applicant shall not be eligible to reapply for at least one year from the relevant date under paragraph (a) or (b), as applicable.”.

Amendment of section 8 - payment of annual fees

7. The principal Act is amended in section 8(2) by deleting the words “two hundred and fifty dollars” and substituting the words “seven hundred and fifty dollars”.

Amendment of section 9 - notarial acts

8. The principal Act is amended in section 9 as follows —
- (a) by renumbering section 9 as section 9(1);
 - (b) by inserting after subsection 9(1) as renumbered, subsection 9(2) as follows —

“(2) The Cabinet may increase, reduce or otherwise change the notarial acts under subsection (1) by amending Schedule 5 by Order as the Cabinet thinks fit.”.

Amendment of section 11 - proceedings for misconduct

9. The principal Act is amended in section 11 as follows —
- (a) in subsection (1)(a), by inserting after the words “with imprisonment” the words “, is convicted of an offence involving dishonesty”;
 - (b) by repealing subsection (3) and substituting the following subsection —

“(3) If a notary public is convicted of an offence punishable with imprisonment, is convicted of an offence involving dishonesty or is found guilty under subsection (1), the Clerk shall make, as soon as

practicable, a report of the conviction or finding to the Attorney General who shall thereafter advise the Cabinet.”; and

- (c) by repealing subsection (4) and substituting the following subsections —
- “(4) If a person makes a complaint in writing to the Attorney General accusing a notary public of misconduct in that person’s capacity as notary public, the Attorney General shall cause an enquiry into the facts, report the findings of the enquiry to the Cabinet and recommend to the Cabinet —
- (a) the revocation or suspension of the appointment of the notary public; or
 - (b) in the case of a notary public who is a non-attorney-at-law, a further course of the notaries public training programme.
- (4A) If the Cabinet is of the opinion that the acts of the notary public constitute misconduct, the Cabinet may implement the recommendation of the Attorney General and direct the Clerk, where relevant, to endorse a notation of the suspension or to remove the name of the notary public from the register.”.

Insertion of section 11A - confidentiality of information

10. The principal Act is amended by inserting after section 11 the following section —

“Confidentiality of information

- 11A.(1)** A notary public or a former notary public shall not knowingly or wilfully disclose information which —
- (a) has been or was obtained by, or furnished to, the notary public under or for the purposes of this Act;
 - (b) relates to a data subject; and
 - (c) is not at the time of the disclosure, and has not previously been, available to the public from other sources,
- unless the disclosure is made with lawful authority.
- (2) For the purposes of subsection (1) a disclosure of information is made with lawful authority if —
- (a) the disclosure is made with the consent of the person to whom the information relates;
 - (b) the information was provided for the purpose of it being made available to the public, in whatever manner, under any provision of the *Data Protection Act (2021 Revision)*;
 - (c) the disclosure is made for the purposes of the discharge of —



- (i) functions under the *Data Protection Act (2021 Revision)* or the *Freedom of Information Act (2021 Revision)*; or
 - (ii) any retained European Union obligation of the United Kingdom that has been extended to the Islands;
 - (d) the disclosure is made for the purposes of any proceedings, whether criminal or civil and whether arising under, or by virtue of, the *Data Protection Act (2021 Revision)* or otherwise;
 - (e) the disclosure is made for the purposes of an enquiry into misconduct under section 11(4); or
 - (f) having regard to the rights and freedoms or legitimate interests of any person, the disclosure is necessary in the public interest.
- (3) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of five thousand dollars or to imprisonment for a term of twelve months, or to both.”.

Amendment of section 15 - regulations

11. The principal Act is amended in section 15 as follows —

- (a) in subsection (1) as follows—
 - (i) by repealing paragraph (a);
 - (ii) in paragraph (e), by deleting the words “the programme of training under section 5” and substituting the words “the notaries public training programme”;
 - (iii) in paragraph (f), by deleting the words “the programme of training under section 5” and substituting the words “the notaries public training programme”; and
 - (iv) by repealing paragraph (g) and substituting the following paragraph —

“(g) the fees for the notaries public training programme under section 5;”;
- (b) in subsection (2), by inserting after the word “amend”, the words “Schedule 5,”; and
- (c) by inserting after subsection (2), the following subsections —

“(3) Regulations made under this Act may prescribe that the contravention of the regulations constitutes an offence for which the person is liable on summary conviction to a fine of ten thousand dollars or to imprisonment for a term of two years, or to both.

(4) The power of the Cabinet to make regulations under this Act includes the power to —

- (a) make different provisions in relation to different categories of persons or in relation to different cases or circumstances; and
- (b) provide for exceptions, limitations or conditions and make consequential or transitional provisions as the Cabinet considers necessary.”.

Repeal of section 17 and substitution - transitional provisions

12. The principal Act is amended by repealing section 17 and substituting the following section —

“Transitional provisions

- 17.** (1) A notary public who is a non-attorney-at-law shall complete the notaries public training programme within six months from the date of commencement of the regulations which prescribe the training programme.
- (2) After the date of the commencement of the *Notaries Public (Amendment) Act, 2026*, the Attorney General shall not accept an application from an applicant who is a non-attorney-at-law until the commencement of the regulations which prescribe the notaries public training programme.
- (3) If an application for the appointment of a notary public is submitted by an applicant who is a non-attorney-at-law prior to the date of commencement of the *Notaries Public (Amendment) Act, 2026* and the application has not yet been determined on the date of commencement of the *Notaries Public (Amendment) Act, 2026*, the application shall be determined in accordance with the *Notaries Public (Amendment) Act, 2026*.
- (4) Where an application for appointment as a notary public is submitted at least three months before the commencement of the *Notaries Public (Amendment) Act, 2026*, the Attorney General may inquire into the applicant’s criminal record for the purpose of confirming that criminal record in the determination of the application.
- (5) The Cabinet may make regulations to provide for transitional arrangements which are necessary to give effect to the *Notaries Public (Amendment) Act, 2026*.”.



Repeal and substitution of section 18 - validation

- 13.** The principal Act is amended by repealing section 18 and substituting the following section —

“Savings provision

- 18.** A person appointed as a notary public on or before the commencement of the *Notaries Public (Amendment) Act, 2026* shall continue to hold office as a notary public based on the eligibility requirements applicable to that appointment immediately before commencement of the *Notaries Public (Amendment) Act, 2026*.”.

Amendment of Schedule 1 - form of application for appointment as notary public

- 14.** The principal Act is amended in Schedule 1 as follows —

- (a) on the **Form of Application for Appointment as Notary Public**, after item 8, as follows —
- (i) by deleting the words “and that I have not been convicted of any crime punishable with imprisonment nor have I been found guilty of any act that constitutes misconduct in a professional respect or misconduct under this Law”; and
 - (ii) by substituting the words “and that I have never been convicted of a crime punishable with a term of imprisonment of twelve months or more, that I have never been convicted of an offence involving dishonesty, that I have never had a conviction for a crime punishable with a term of imprisonment of twelve months or more or an offence involving dishonesty expunged or spent under the Criminal Records (Spent Convictions) Act (2018 Revision) and that I have never been found guilty of any act that constitutes misconduct in a professional respect or misconduct under this Act”; and

- (b) under the heading “**Instructions to applicant**”, by repealing paragraph (d) and the related note and substituting the following paragraphs —
- “(ca) a certificate of medical fitness by a medical doctor, if the applicant has attained the age of eighty years;
- (d) proof of Caymanian status; and”.

Passed by the Parliament the 5th day of October, 2026.

Hon. D. Ezzard Miller
Speaker

Zena Merren-Chin
Clerk of the Parliament

