

中文	英文
公證法	Notarization Law of the Republic of China
第一章 總則	Chapter One : General Provisions
<p>第 1 條</p> <p>公證事務，由法院或民間之公證人辦理之。</p> <p>地方法院及其分院應設公證處；必要時，並得於管轄區域內適當處所設公證分處。</p> <p>民間之公證人應於所屬之地方法院或其分院管轄區域內，司法院指定之地設事務所。</p>	<p>Article 1</p> <p>Notarial affair shall be handled by notaries serving in the courts(hereinafter referred to as "court notaries") or by notaries who operate their own offices (hereinafter referred to as "civil notaries").</p> <p>All district courts and their branches shall include a notary division. If necessary, additional branches of the notary division may be established at appropriate premises within the jurisdiction of each district court.</p> <p>Civil notary offices shall be established within the jurisdiction of the district courts on which they depend, or its branches of such district courts, and in locations assigned by the Judicial Yuan.</p>
<p>第 2 條</p> <p>公證人因當事人或其他關係人之請求，就法律行為及其他關於私權之事實，有作成公證書或對於私文書予以認證之權限。</p> <p>公證人對於下列文書，亦得因當事人或其他關係人之請求予以認證：</p> <p>一、涉及私權事實之公文書原本或正本，經表明係持往境外使用者。</p> <p>二、公、私文書之繕本或影本。</p>	<p>Article 2</p> <p>Notaries have the authority to notarize juristic acts and facts related to private rights upon application of directly related parties or other indirectly related persons. They also have the authority to attest private documents.</p> <p>Notaries may also attest the following documents upon application of directly related parties or other indirectly related persons:</p> <p>1. Official documents in their original form that involve facts related to private rights and where the applicants indicate the documents will be used overseas.</p>

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	2.The transcriptions or photocopies of official or private documents.
<p>第 3 條</p> <p>前條之請求，得以言詞或書面為之。</p> <p>公證或認證請求書，應由請求人或其代理人簽名；其以言詞請求者，由公證人、佐理員或助理人作成筆錄並簽名後，由請求人或其代理人簽名。</p> <p>前項請求書或筆錄，準用非訟事件法關於聲請書狀或筆錄之規定。</p>	<p>Article 3</p> <p>The applications mentioned in Article 2 may be oral or in writing.</p> <p>The notarization or attestation applications shall be signed by applicants or their agents.</p> <p>If applications are made orally, the notaries, their clerks, or assistants shall transcribe the oral applications into written forms and sign the records, prior to having the applicants or their agents sign the records themselves.</p> <p>"The Law Governing Non-Contentious Matters" <u>shall</u> apply mutatis mutandis to determine the format of the written applications or transcriptions mentioned in the preceding paragraph.</p>
<p>第 4 條</p> <p>公證或認證之請求，得由代理人為之。但依法律規定或事件性質不得由代理人為之者，不在此限。</p>	<p>Article 4</p> <p>Notarization or attestation applications may be made by the applicants' agents.</p> <p>However, this will not apply when there are statutory restrictions or due to the specific nature of the matter.</p>
<p>第 5 條</p> <p>公證文書應以中國文字作成之。但經當事人請求時，得以外國文字作成。</p> <p>前項文書以中國文字作成者，必要時得附記外國文字或附譯本。</p> <p>以外國文字作成公證文書或就文書之翻譯本為認證之公證人，以經司法院核定通曉各該外國語文者為限。</p>	<p>Article 5</p> <p>Notarized documents shall be written in Chinese unless, at the request of the parties, they be written in foreign languages.</p> <p>In the event the notarized documents were written in Chinese, necessary notations in a foreign language may be included, or a translation in a foreign language may be attached when necessary.</p> <p>The notaries establishing notarized documents in a foreign language, or attesting foreign translation of documents, shall have their proficiency in the foreign language</p>

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	approved by the Judicial Yuan.
<p>第 6 條</p> <p>當事人或其他關係人，除法律另有規定外，得向任何地區之公證人請求作成公證書或認證文書。</p>	<p>Article 6</p> <p>The parties or other related persons, unless otherwise provided by law, may request notaries of any regions to establish notarial deeds or deeds of attestation.</p>
<p>第 7 條</p> <p>公證人應以所屬之地方法院或其分院之管轄區域為執行職務之區域。但有急迫情形或依事件之性質有至管轄區域外執行職務之必要者，不在此限。</p> <p>違反前項規定所作成之公、認證文書，效力不受影響。</p>	<p>Article 7</p> <p>Notaries shall perform their duties within the jurisdictional area of the district court or its branches with which they are registered. However, in emergency circumstances, or due to the nature of the matter, it appears necessary for the notaries to perform their duties outside their jurisdictional area, the above restriction shall not apply.</p> <p>Notarized or attested documents established in violation of the provisions of the preceding paragraph shall remain effective.</p>
<p>第 8 條</p> <p>辦理公證事務，應於法院公證處或民間之公證人事務所為之。但法令另有規定或因事件之性質，在法院公證處或民間之公證人事務所執行職務不適當或有其他必要情形者，不在此限。</p> <p>辦理公證事務之時間，依一般法令之規定。但必要時，得於法令所定時間外為之。</p>	<p>Article 8</p> <p>Notarial affairs shall be carried out at the notary divisions of the courts or the civil notary offices. However, if a statute otherwise requires, or due to the nature of the matters, it is deemed inappropriate for the notaries to perform their duties at the notary divisions of the courts or the civil notary offices, or under necessary circumstances, the above restriction shall not apply.</p> <p>The processing time of notarial affairs shall be in accordance with legal provisions. However, if necessity so prescribes, such provisions may not apply.</p>
<p>第 9 條</p> <p>公證人為職務上簽名時，應記載其職稱及所屬之法院。民間之公證人並應記載其事務所所在地。</p>	<p>Article 9</p> <p>Notaries, when signing in their capacity as notary, shall indicate their title and the court to which they are registered. Civil notaries shall indicate the location of their office.</p>

<p>第 10 條</p> <p>公證人有下列各款情形之一者，不得執行其職務：</p> <p>一、為請求人或就請求事項有利害關係者。</p> <p>二、為請求人或其代理人或就請求事項有利害關係者之配偶、前配偶、未婚配偶、四親等內之親屬或同居之家長、家屬者。其親屬或家長、家屬關係終止後，亦同。</p> <p>三、為請求人或其代理人之法定代理人者。</p> <p>四、就請求事項現為或曾為代理人或輔佐人者。</p>	<p>Article 10</p> <p>Notaries that encounter any of the following situations may not perform their duties:</p> <p>1. When the notary is a related party to the applicant, or has a personal interest in the applied matter.</p> <p>2. When the notary's spouse, former spouse, prospective spouse, relatives up to the fourth degree, cohabiting head of the notary's household, or household members is an applicant, agents of an applicant, or is related to the applied matter. Whenever the familial relationship extinguishes, the restriction still applies.</p> <p>3. When the notary acts as the applicant's or his/her agent's legal guardian.</p> <p>4. When the notary acted, for the matter applied, as an agent or an <u>assistant</u>.</p>
<p>第 11 條</p> <p>公證人作成之文書，非具備本法及其他法律所定之要件，不生公證效力。</p> <p>公證人違反本法不得執行職務之規定所作成之文書，亦不生公證效力。</p>	<p>Article 11</p> <p>Documents drafted by notaries that do not possess the elements prescribed by this statute or other statutes, shall not generate the legal effects pertaining to notarial documents.</p> <p>Documents drafted by notaries who should not perform their duties according to this law, shall not generate the legal effects pertaining to notarial documents.</p>
<p>第 12 條</p> <p>公證人辦理公證事務，於必要時，得向有關機關、團體或個人查詢，並得請求其協助。</p> <p>前項情形，亦得商請外國機關、團體或個人為之。</p>	<p>Article 12</p> <p>Notaries, in the course of performing notarial affairs, may when necessary, inquire of relevant agencies, organizations or individuals and may request their assistance.</p> <p>The above provision also applies to foreign agencies, organizations or individuals.</p>
<p>第 13 條</p> <p>當事人請求公證人就下列各款法律行為作成之公證書，載明應逕</p>	<p>Article 13</p> <p>Parties requesting from a notary the establishment of a notarial deed for any of the</p>

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<p>受強制執行者，得依該證書執行之：</p> <p>一、以給付金錢或其他代替物或有價證券之一定數量為標的者。</p> <p>二、以給付特定之動產為標的者。</p> <p>三、租用或借用建築物或其他工作物，定有期限並應於期限屆滿時交還者</p> <p>。</p> <p>四、租用或借用土地，約定非供耕作或建築為目的，而於期限屆滿時應交還土地者。</p> <p>前項公證書，除當事人外，對於公證書作成後，就該法律行為，為當事人之繼受人，及為當事人或其繼受人占有請求之標的物者，亦有效力。</p> <p>債務人、繼受人或占有人，主張第一項之公證書有不得強制執行之事由提起訴訟時，受訴法院得因必要情形，命停止執行，但聲請人陳明願供擔保者，法院應定相當之擔保額，命停止執行。</p>	<p>following juristic acts, insofar as the notarial deed specifies its immediate enforceability, shall enforce it accordingly:</p> <ol style="list-style-type: none"> <li>1. When the subject matter of the deed is the payment of a sum of money, other fungible things, or valuable securities of a specific amount.</li> <li>2. When the subject matter of the deed is the delivery of a specific personal property.</li> <li>3. When the subject matter of the deed is the lease or <u>lend the use</u> of buildings or other works, whenever there is a fixed term and the building or work the possession of which shall be returned by the expiration of the term.</li> <li>4. When the subject matter of the deed is the lease or <u>lend the use</u> of pieces of land, for the purpose of non-farming or building, when at the expiration of the term, the possession of the piece of land shall be returned.</li> </ol> <p>In addition to all parties, the notarial deeds mentioned in the preceding paragraph, after their establishment, are binding on a person who becomes a party's successor and who possesses the object for the parties or their successors.</p> <p>If the debtors, their successors, or persons who possesses the object claim that there are reasons for the notarial deeds, <u>referred</u> in the first paragraph, not to be enforced and file a lawsuit, the court in charge may suspend the enforcement proceeding due to necessary circumstances. Alternatively, if the claimants state that they are willing to provide security, the court shall decide a proper amount and shall suspend the enforcement proceeding.</p>
<p>第 14 條</p>	<p>Article 14</p>

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<p>公證人、佐理員及助理人，除法律另有規定外，對於經辦事件，應守秘密。</p>	<p>Notaries, their clerks, and assistants, unless otherwise provided by law, shall keep the secrecy of the matters they have handled.</p>
<p>第 15 條 公證人非有正當理由，不得拒絕請求人之請求。 公證人拒絕請求時，得以言詞或書面為之。但請求人要求說明其理由者，應付與理由書。</p>	<p>Article 15 Notaries shall not refuse the applications of their applicants without legitimate justification. Notaries who refuse applications may do so orally or in writing. When the applicant requests the reason be stated, the notary must provide the applicant with a legitimate justification in writing.</p>
<p>第 16 條 請求人或利害關係人，認為公證人辦理公證事務有違法或不當者，得提出異議。 公證人如認異議為有理由時，應於三日內為適當之處置；如認為無理由時，應附具意見書，於三日內送交所屬之地方法院或其分院，法院應於五日內裁定之。</p>	<p>Article 16 Applicants or interested persons, who consider that a notary has illegally or improperly conducted notarial affairs, may raise an objection. Notaries, who find the objection to be justified, shall within three days take appropriate remedy. Notaries who find the objection to be unjustified shall, within three days, submit a report to the district court or its branch with which they are registered. The court shall rule within five days.</p>
<p>第 17 條 法院認異議為有理由時，應以裁定命公證人為適當之處置；認異議為無理由時，應駁回之。 前項裁定，應附具理由，並送達於公證人、異議人及已知之其他利害關係人。 對於第一項之裁定，得於十日內抗告。但不得再抗告。 抗告，除本法另有規定外，準用非訟事件法關於抗告之規定。</p>	<p>Article 17 If the court finds the objection to be justified, it shall order the notary to take appropriate remedy. If the court finds the objection to be unjustified, it must dismiss the request. The ruling shall mention the reason, and be served to the notary, the claimant, and any related party. The ruling mentioned in the first paragraph of this article may be appealed within ten</p>

	<p>days. Only one appeal is permitted.</p> <p>Unless otherwise provided by this law, the Law Governing Non-Contentious Matters shall apply mutatis mutandis to <u>the appeal</u>.</p>
<p>第 18 條</p> <p>公證人作成之公證書原本，與其附屬文件或已認證之文書繕本、影本，及依法令應編製之簿冊，保存於公證處或事務所，不得攜出。但經法院或其他有關機關依法律調閱或因避免事變而攜出者，不在此限。</p> <p>公證文書依前項規定調閱而攜出者，公證人應製作影本留存。</p> <p>第一項文書、簿冊之保存及銷燬規則，由司法院定之。</p>	<p>Article 18</p> <p>The original of the notarial deeds drafted by the notary, as well as the notarial deeds' ancillary documents or attested <u>deeds' transcriptions</u>, photocopies and other records to be prepared under law, shall be preserved within the notary division or the civil notary office and may not leave the premises. However, by court order or decision of relevant authorities in accordance with legal access regulations or to avoid incidents, such documents may be carried out of the premises.</p> <p>In the event, according to the preceding paragraph, the documents were to leave the premises, the notary shall prepare and retain a photocopy of the documents.</p> <p>The Judicial Yuan shall further prescribe the rules regarding the preservation or destruction of documents or records under the first paragraph.</p>
<p>第 19 條</p> <p>本法規定之各項金額或價額，均以新台幣為單位。</p>	<p>Article 19</p> <p>All amounts of money or value mentioned under this statute shall be expressed in New Taiwan Dollars (hereinafter "NTD").</p>
<p>第 20 條</p> <p>依本法所為罰鍰處分之議決，得為強制執行名義。</p>	<p>Article 20</p> <p>All orders of fines pronounced under this statute may serve as legal title for compulsory enforcement.</p>
<p>第 21 條</p> <p>公證事件，除本法另有規定外，準用非訟事件法之規定，非訟事</p>	<p>Article 21</p> <p>Notarial affairs, unless otherwise provided by this law, the <u>Law Governing</u></p>

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<p>件法未規定者，準用民事訴訟法之規定。</p>	<p><u>Non-Contentious Matters</u> shall be applicable mutatis mutandis. For those issues that are not governed by the Law Governing Non-Contentious Matters, the provisions of the Code of Civil Procedure shall be applicable mutatis mutandis.</p>
<p>第二章 公證人</p>	<p>Chapter 2: The Notaries</p>
<p>第一節 法院之公證人</p>	<p>Section 1: The Notaries Serving in the Courts</p>
<p>第 22 條 法院之公證人，應就具有司法人員人事條例第二十三條第一項所定資格之一者遴任之。 公證人有二人以上者，以一人為主任公證人，處理並監督公證處之行政事務。 法院之公證人，得由地方法院或其分院法官或具有第一項資格之司法事務官兼充之。</p>	<p>Article 22 From those who have satisfied the judicial personnel qualifications set forth under paragraph 1 of Article 23 of the Judicial Personnel Ordinance, the court may selectively appoint court notaries. Whenever there is more than one notary in a notary division of a district court, one of them shall be appointed as the director, handling and supervising notarial affairs. Judges of a district court or its branches or judicial personnel, who have satisfied the qualifications mentioned under the first paragraph, can be assigned additional duties to act as notaries.</p>
<p>第 23 條 公證處置佐理員，輔助法院之公證人辦公證事務，應就具有法院書記官任用資格者遴任之。 前項佐理員，得由地方法院或其分院書記官兼充之。</p>	<p>Article 23 The notary division's clerks assist the notaries in the performance of notarial affairs. The notary clerks are appointed from personnel holding the qualification of a court clerk. The district court or its branches can appoint court clerks to act as notary clerks in addition to the clerk's other duties.</p>

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<p>第二節 民間之公證人</p>	<p>Section 2: Civil Notaries</p>
<p>第 24 條 民間之公證人為司法院依本法遴任，從事第二條所定公證事務之人員。 有關公務人員人事法律之規定，於前項公證人不適用之。</p>	<p>Article 24 Civil notaries are appointed by the Judicial Yuan and handle notarial affairs as mentioned under Article 2 of this statute. Regulations governing civil servants do not apply to these notaries mentioned in the preceding paragraph.</p>
<p>第 25 條 民間之公證人，應就已成年之中華民國國民具有下列資格之一者遴任之： 一、經民間之公證人考試及格者。 二、曾任法官、檢察官，經銓敘合格者。 三、曾任公設辯護人，經銓敘合格者。 四、曾任法院之公證人，經銓敘合格，或曾任民間之公證人者。 五、經高等考試律師考試及格，並執行律師業務三年以上者。</p>	<p>Article 25 The court shall select civil notaries from adult citizens of the Republic of China(hereinafter "the R.O.C.") and who are qualified upon meeting one of the following conditions: 1. Passing the examination for civil notaries; 2. Former judges, or prosecutors, upon being duly qualified; 3. Former public defenders, upon being duly qualified; 4. Former court notaries and duly qualified, or former civil notaries; or 5. Persons having passed the bar examination, and having practiced as an attorney for more than three years</p>
<p>第 26 條 有下列情事之一者，不得遴任為民間之公證人： 一、年滿七十歲。 二、曾受一年有期徒刑以上刑之裁判確定。但因過失犯罪者，不在此限。</p>	<p>Article 26 Any person meeting any of the following conditions shall not be appointed as a civil notary. These include someone who has: 1. passed the age of 70 years old; 2. been sentenced to imprisonment of a term of one year or more, except for crimes</p>

<p>三、褫奪公權，尚未復權。</p> <p>四、曾任公務員而受撤職處分，其停止任用期間尚未屆滿。</p> <p>五、曾依本法免職或受撤職處分。</p> <p>六、曾受律師法所定除名處分。</p> <p>七、受破產之宣告，尚未復權。</p> <p>八、受監護或輔助之宣告，尚未撤銷。</p> <p>九、因身體或精神障礙致不能勝任其職務。</p>	<p>committed negligently;</p> <p>3. been disenfranchised of public rights, without those rights being reinstated;</p> <p>4. been dismissed as a civil servant with a period restricting his reinstatement before that time period has expired;</p> <p>5. been removed or dismissed on the basis of the present statute;</p> <p>6. been disbarred, on the basis of the Lawyers Act;</p> <p>7. been declared bankrupt, without being reinstated;</p> <p>8. been placed under guardianship or assistance, before such declaration has been revoked; or</p> <p>9. become incapable of performing duties due to a physical or mental handicap.</p>
<p>第 27 條</p> <p>交通不便地區無民間之公證人時，得依有關民間之公證人遴任辦法之規定，就曾在公立或經立案之私立大學、獨立學院法律學系、法律研究所或經教育部承認之國外大學法律學系、法律研究所畢業，並任薦任司法行政人員、薦任書記官辦理民刑事紀錄或委任第五職等公證佐理員四年以上，成績優良，經審查合格者，遴任為候補公證人。</p> <p>候補公證人候補期間三年，期滿成績優良者，得遴任為民間之公證人。</p> <p>候補公證人，除本法另有規定外，準用關於民間之公證人之規定。</p>	<p>Article 27</p> <p>In difficult to access areas where there is no civil notary, and in accordance with the provisions of the relevant regulations on the qualifications of civil notaries, the Judicial Yuan may select candidate notaries from persons who have the following qualifications: those who have a bachelor's degree from an undergraduate law department; those who have a master of law from a graduate law school of public or accredited private universities or colleges; or be from the law departments or graduate law schools of overseas universities recognized by the Ministry of Education. It is also necessary to have worked as administrative personnel of the judiciary, a court clerk in charge of handling civil and criminal records, or having been appointed as a fifth-level notary assistant for more than four years.</p> <p>Candidate notaries are in training for a period of three years. At the expiration of the</p>

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	<p>candidacy period, provided they have good credentials, they can be appointed as civil notaries.</p> <p>The provisions applicable to civil notaries shall apply mutatis mutandis to candidate notaries, unless otherwise provided by this law.</p>
<p>第 28 條</p> <p>民間之公證人經所屬地方法院或其分院之許可，得僱用助理人，輔助辦公證事務。</p> <p>前項許可，必要時得撤銷之。</p> <p>第一項之助理人，其資格、人數、處理事務之範圍及撤銷許可之事由等事項，由司法院定之。</p>	<p>Article 28</p> <p>Civil notaries, after obtaining the approval of the district courts or the branches with which they are registered, may hire assistants to help them handle notarial affairs.</p> <p>The above-mentioned approval may be revoked when necessary.</p> <p>For the assistants mentioned in the first paragraph, their qualifications, number, range of professional duties, revocation of authorization, as well as other related items, are prescribed by the Judicial Yuan.</p>
<p>第 29 條</p> <p>民間之公證人於執行職務前，應經相當期間之研習。但具有第二十五條第二款或第四款之資格者不在此限。</p> <p>民間之公證人於執行職務期間內，得視業務需要，令其參加研習。</p>	<p>Article 29</p> <p>Civil notaries before performing their duties, shall be subject to an internship of an appropriate period. However, this provision does not apply to candidates that meet the qualifications of subparagraph 2 or 4 of Article 25.</p> <p>Civil notaries, in the course of performing their duties, may be required, depending on business needs, to participate in additional training.</p>
<p>第 30 條</p> <p>民間之公證人之遴選、研習及任免辦法，由司法院定之。</p>	<p>Article 30</p> <p>The selection process, internship, appointment and removal of civil notaries are determined by the Judicial Yuan.</p>

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<p>第 31 條</p> <p>民間之公證人由司法院遴任之，並指定其所屬之地方法院或其分院。但不得限制其人數。</p>	<p>Article 31</p> <p>Civil notaries are appointed by the Judicial Yuan, which also determines the district court or branch to which the civil notaries are registered. The Judicial Yuan does not however limit the number of civil notaries.</p>
<p>第 32 條</p> <p>民間之公證人於任命後，非經踐行下列各款事項，不得執行職務：</p> <p>一、向所屬地方法院或其分院登錄。</p> <p>二、加入公證人公會。</p> <p>三、參加責任保險並繳納保險費。</p> <p>四、向所屬地方法院或其分院提出職章、鋼印之印鑑及簽名式。</p>	<p>Article 32</p> <p>Upon being appointed, civil notaries may not perform their duties unless they have fulfill the following requirements:</p> <ol style="list-style-type: none"> <li>1. Register with the district court or branch with which they are registered.</li> <li>2. Join the notaries association.</li> <li>3. Apply for malpractice liability insurance and pay the premium.</li> <li>4. Submit to the district court or branch with which they are registered, the mark of their seal and iron stamp, as well as a copy of their signature.</li> </ol>
<p>第 33 條</p> <p>民間之公證人任命後有下列情事之一者，應予免職：</p> <p>一、受刑事裁判確定。但因過失犯罪者，不在此限。</p> <p>二、受褫奪公權之宣告。</p> <p>三、曾任公務員而受撤職處分。</p> <p>四、受律師法所定除名處分。</p> <p>五、受破產之宣告。</p> <p>六、受監護或輔助之宣告。</p> <p>七、因身體或精神障礙致不能勝任其職務。</p> <p>民間之公證人於任命後，發見其在任命前有第二十六條所定各款</p>	<p>Article 33</p> <p>Upon being appointed, civil notaries may be removed from their positions if they meet one of the following circumstances:</p> <ol style="list-style-type: none"> <li>1. been found guilty of a crime, the verdict of which is final, except for crimes based upon the negligence of the offender.</li> <li>2. been disenfranchised of public rights.</li> <li>3. been dismissed, as a former civil servant.</li> <li>4. been disbarred, on the basis of the Lawyers Act.</li> <li>5. been declared bankrupt.</li> <li>6. been placed under guardianship or assistance.</li> </ol>

<p>情事之一者，亦應予免職。</p>	<p>7. being incapable of performing duties due to a physical or mental handicap. After the appointment, if the Judicial Yuan discovers that the civil notary has one of the situations stipulated in Article 26, that notary shall be removed from the position.</p>
<p>第 34 條 民間之公證人未依本法規定繳納強制責任保險費者，得予免職。</p>	<p>Article 34 Civil notaries who fail to pay compulsory professional malpractice liability insurance premiums as provided under this statute may be subject to <u>remove</u> from the position .</p>
<p>第 35 條 民間之公證人年滿七十歲者，應予退職。</p>	<p>Article 35 Civil notaries who have attained the age of seventy years old shall retire from their position.</p>
<p>第 36 條 民間之公證人依本法執行公證職務作成之文書，視為公文書。</p>	<p>Article 36 Documents established by civil notaries when performing their notarial duties pursuant to this statute shall be deemed as official documents.</p>
<p>第 37 條 民間之公證人具有律師資格者，不得執行律師業務。但經遴任僅辦理文書認證事務者，或因地理環境或特殊需要，經司法院許可者，不在此限。 律師兼任民間之公證人者，就其執行文書認證事務相關之事件，不得再受委任執行律師業務，其同一聯合律師事務所之他律師，亦不得受委任辦理相同事件。 除本法另有規定外，民間之公證人不得兼任有薪給之公職或業務，亦不得兼營商業或為公司或以營利為目的之社團法人代表人或使用人。但與其職務無礙，經司法院許可者，不在此限。</p>	<p>Article 37 Civil notaries who also have the qualifications of a lawyer shall not practice lawyers' business. However, if the lawyer was licensed as a civil notary with a limited capacity for the purpose of attesting documents only, or due to geographic environment or special needs, the aforementioned limitations shall not apply if the lawyer acquires the Judicial Yuan's approval.  Lawyers concurrently acting as civil notaries (hereinafter "attorney notaries"), shall not accept the appointment of practicing as a lawyer related to those same documents they have attested. Any lawyer belonging to the same joint law firm</p>

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	<p>may also not be appointed to handle that case.</p> <p>Unless otherwise provided by this law, civil notaries shall not concurrently undertake remunerated public offices or business positions, concurrently engage in commercial activities, nor be representatives or employees of any company or for-profit association. However, an <b>approval</b> may be granted by the Judicial Yuan, provided there is no conflict with their professional duties.</p>
<p>第 38 條 民間之公證人及其助理人，不得為居間介紹貸款或不動產買賣之行為。</p>	<p>Article 38 Civil notaries and their assistants may not act as intermediaries for loans or real estate transactions.</p>
<p>第 39 條 民間之公證人因疾病或其他事故，暫時不能執行職務時，得委請所屬之地方法院或其分院管轄區域內之其他民間之公證人或候補公證人代理之。 民間之公證人依前項規定委請代理時，應即向所屬之地方法院或其分院陳報。解除代理時，亦同。 依第一項規定委請代理之期間逾一個月者，應經所屬之地方法院或其分院許可。</p>	<p>Article 39 Civil notaries who are temporarily unable to perform their duties due to an illness or any other incident, may request another civil notary or a candidate notary within the jurisdiction of the district court or branch with which they are registered to carry out their obligations as their agent. Civil notaries who, as prescribed above, commission another notary as an agent, shall report it to the district court or the branch to which they are registered. Likewise, when the commission ends, the formerly incapacitated notary shall report it to the court. In the event the commission period indicated in the first paragraph exceeds one month, the incapacitated notary must <u>request approval from</u> the district court or its branch.</p>
<p>第 40 條 民間之公證人未依前條第一項規定委請代理時，所屬之地方法院</p>	<p>Article 40 In the event the incapacitated civil notary fails to commission an agent, as prescribed</p>

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<p>或其分院得命管轄區域內之其他民間之公證人或候補公證人代理之。</p> <p>前條第一項之民間之公證人得執行職務時，所屬之地方法院或其分院應解除其代理人之代理。</p> <p>地方法院或其分院不能依第一項規定指定代理人時，得命法院之公證人至該地執行職務。</p>	<p>under the first paragraph of the preceding article, the district court or its branch <u>may</u> appoint a civil notary or a candidate notary within the jurisdiction of the district court or its branch as an agent to carry out the incapacitated civil notary's obligations.</p> <p>When the civil notary mentioned in the first paragraph of the preceding article is able to perform his duties, the district court or its branch must discharge the agent.</p> <p>When the district court or its branch cannot appoint an agent in accordance with paragraph 1, they may appoint a court notary as an agent to perform such duties.</p>
<p>第 41 條</p> <p>民間之公證人之代理人，執行前二條所定代理職務時，應以被代理人之事務所為事務所。</p> <p>前項代理人為職務上簽名時，應記載被代理公證人之職稱、姓名、所屬法院、事務所所在地及其為代理之旨。</p>	<p>Article 41</p> <p>The commissioned agent of a civil notary, when performing duties in accordance with the two preceding articles, shall make use of the office of the incapacitated notary as his own.</p> <p>The commissioned agent mentioned in the preceding paragraph, when signing as part of his professional duties, shall affix the incapacitated notary's title, name, registered district court, office location and agency purpose.</p>
<p>第 42 條</p> <p>民間之公證人之代理人應自行承受其執行代理職務行為之效果；其違反職務上義務致他人受損害時，應自負賠償責任。</p> <p>前項代理人使用被代理公證人之事務所、人員或其他設備，應給與相當報償，其數額有爭議者，得聲請法院裁定。</p> <p>前項裁定得為執行名義。</p>	<p>Article 42</p> <p>Agents of civil notaries shall assume the responsibility for their own performance of duties. They shall compensate for the damage caused by their malpractice.</p> <p>Agents who utilize the incapacitated civil notary's office, personnel or other equipment, shall duly reimburse the incapacitated civil notary for the use of the facilities and personnel. They can apply for adjudication from the court, provided that there is a dispute regarding the amount of reimbursement.</p> <p>Adjudication mentioned in the preceding paragraph may serve as a legal title for</p>

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	compulsory enforcement.
<p>第 43 條</p> <p>民間之公證人死亡、免職、撤職或因其他事由離職者，所屬之地方法院或其分院認為必要時，得指派人員將其事務所之有關文書、物件封存。</p>	<p>Article 43</p> <p>When necessary, personnel can be assigned by a district court or its branch to seal and store up documents and objects belonging to civil notaries who have died, been removed from their positions, have been dismissed from their duties, or leave their positions due to other reasons.</p>
<p>第 44 條</p> <p>民間之公證人死亡時，其繼承人、助理人或其他使用人，應於知悉後十日內陳報該公證人所屬之地方法院或其分院。</p>	<p>Article 44</p> <p>Within ten days of knowing the death of a civil notary, his/her successors, assistants, or other employees shall inform the district court or its branch with which the civil notary is registered.</p>
<p>第 45 條</p> <p>民間之公證人死亡、免職、撤職或因其他事由離職者，在繼任人未就職前，所屬之地方法院或其分院得指定管轄區域內其他民間之公證人兼任其職務。</p> <p>前項兼任職務之民間之公證人得在兼任之區域內設事務所。</p> <p>第一項兼任之職務，在繼任人就職時，所屬之地方法院或其分院應解除其兼任。</p>	<p>Article 45</p> <p>When a civil notary has died, been removed from his/her positions, been dismissed from their duties, or left their positions due to other reasons, the district courts or its branches with which the civil notaries registered can assign another civil notary (hereinafter “adjunct notary”) to perform his/her duties in addition to the adjunct notary's own duties.</p> <p>The adjunct notary can establish offices in the assigned notary districts.</p> <p>The district courts or its branches with which the notaries registered should discharge the adjunct notary from the adjunct positions when a successor assumes the post of the former notary.</p>
<p>第 46 條</p> <p>民間之公證人免職、撤職或因其他事由離職時，應與其繼任人或</p>	<p>Article 46</p> <p>When the civil notaries are removed from their positions, have been dismissed</p>

<p>兼任人辦理有關文書、物件之移交；其繼任人或兼任人應予接收。民間之公證人因死亡或其他事由不能辦理移交者，其繼任人或兼任人應會同所屬之地方法院或其分院指定之人員接收文書、物件。依第四十三條規定封存之文書、物件，繼任人或兼任人應會同所屬之地方法院或其分院指定之人員解除封印，接收文書、物件。民間之公證人之交接規則，由司法院定之。</p>	<p>from their duties, or leave their positions due to other reasons, they shall hand over documents and objects relating to their position to their successors or adjunct notaries. The successors and adjunct notaries shall take over the documents and objects.</p> <p>When the civil notaries die, or otherwise cannot hand over documents and objects, the successors or adjunct notaries shall take possession of the documents and objects in coordination with the personnel appointed by the district courts or the branches with which the successors or the adjunct notaries registered.</p> <p>Successors and adjunct notaries shall remove the seal in coordination with personnel appointed by the courts or its branches and take possession of the documents and objects which have been sealed and stored according to Article 43.</p> <p>The Judicial Yuan shall prescribe additional rules regarding takeover of documents and objects between civil notaries.</p>
<p>第 47 條 前條之規定，於兼任人將有關文書、物件移交其他民間之公證人時，準用之。</p>	<p>Article 47 The preceding article shall apply mutatis mutandis to the situation where adjunct notaries hand over the documents and objects to other civil notaries.</p>
<p>第 48 條 兼任人於職務上簽名時，應記載其為兼任之旨。繼任人依前任人或兼任人作成之公證書，而作成正本、繕本、影本或節本時，應記明其為繼任人。</p>	<p>Article 48 When adjunct notaries are signing in their capacity of the adjunct position, shall always indicate that they are notarizing in that specific capacity.</p> <p>When making authenticated copies, <u>transcriptions</u>, photocopies, or excerpt copies of</p>

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	the notarial documents established by the former notaries or adjunct notaries, successors of the former notaries shall sign with an indication that they are successors to the former notaries or adjunct notaries.
<p>第 49 條</p> <p>民間之公證人死亡、免職、撤職或因其他事由離職並因名額調整而無繼任人者，司法院得命將有關文書、物件移交於同一地方法院或其分院管轄區域內其他民間之公證人。</p> <p>第四十六條及前條第二項之規定，於依前項受命移交之民間之公證人準用之。</p>	<p><a href="#">Article 49</a></p> <p><a href="#">When civil notaries have died, been removed from their positions, been dismissed from their duties, or left their positions due to other reasons, and no successor can be appointed due to adjustment of the number of civil notaries, the Judicial Yuan may order other civil notaries registered with the same court or branch as the former notaries, to take over related documents and objects.</a></p> <p><a href="#">Article 46 and paragraph 2 of the preceding article shall apply mutatis mutandis to the civil notaries who are ordered to take over the documents and objects.</a></p>
<p>第 50 條</p> <p>第四十三條、第四十五條、第四十六條第三項及第四十八條第一項之規定，於民間之公證人停職時準用之。</p> <p>兼任人依前項規定執行職務時，以停職人之事務所為事務所。</p>	<p>Article 50</p> <p>Article 43, Article 45, paragraph 3 of Article 46, and paragraph 1 of Article 48 shall apply mutatis mutandis to the situation where civil notaries are disciplined by suspension from executing their duties.</p> <p>Adjunct notaries, who perform their duties according to preceding article, shall use the office of the civil notaries who are disciplined with suspension.</p>
第 51 條	Article 51

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When a civil notary has died, been removed from his/her position, been dismissed from his/her duty, or left his/her position due to other reasons, and no successor can be appointed due to adjustment of the number of civil notaries, the Judicial Yuan can order other civil notaries registered with the same court or branch as the former notary, to take over related documents and objects. .

Article 46 and paragraph 2 of the preceding article shall apply mutatis mutandis to the civil notaries who are ordered to take over the documents and objects.

<p>民間之公證人之監督由司法院行之。</p> <p>前項監督，得由所屬之高等法院、地方法院或其分院為之。</p> <p>前二項之監督，其辦法由司法院定之。</p>	<p>The supervision of civil notaries is conducted by the Judicial Yuan.</p> <p>The supervision mentioned in the preceding paragraph can be conducted by the High Court, district courts, or the district court's branch with which a civil notary is registered.</p> <p>The rule regarding the supervision shall be promulgated by the Judicial Yuan.</p>
<p>第 52 條</p> <p>依前條規定行使監督權之機關，得定期檢查民間之公證人保管之文書、物件。</p>	<p>Article 52</p> <p>Agencies, which conduct supervision according to the preceding article, may periodically check documents and objects in civil notaries' custody.</p>
<p>第 53 條</p> <p>監督機關得對民間之公證人為下列行為：</p> <p>一、關於職務上之事項，得發命令促其注意。</p> <p>二、對有與其職位不相稱之行為者，加以警告。但警告前，應通知該公證人得為申辯。</p>	<p>Article 53</p> <p>The supervisory agencies may issue the following orders to civil notaries:</p> <ol style="list-style-type: none"> <li>1. The agencies may order civil notaries to take due care of issues regarding their execution of notarial affairs.</li> <li>2. The agencies may issue warnings to civil notaries if they have improper behavior that does not match with their positions. However, the agencies shall inform the notaries of the right to defend themselves before the warning is issued.</li> </ol>
<p>第 54 條</p> <p>民間之公證人有下列情事之一者，應付懲戒：</p> <p>一、有違反第一條第三項、第七條第一項、第十條、第十四條、第十五條第一項、第十八條第一項、第三十二條、第三十七條、第三十八條、第四十一條第一項、第四十六條、第六十七條第一項、第六十九條、第七十條、第九十條第一項、第九十八條第二項、第一百零一條第一項、第四項、第一百零八條之行為者。</p>	<p>Article 54</p> <p>Civil notaries shall be disciplined for each improper behavior indicated if they meet one of the following conditions:</p> <ol style="list-style-type: none"> <li>1. If they have behaviors which violate at least one of the following articles: paragraph 3 of Article 1, paragraph 1 of Article 7, Article 10, Article 14, paragraph 1 of Article 15, paragraph 1 of Article 18, Article 32, Article 37, Article 38, paragraph 1 of Article 41, Article 46, paragraph 1 of Article 67, Article 69, Article 70, paragraph 1 of Article</li> </ol>

<p>二、經監督機關為第五十三條之懲處後，仍未改善者。</p> <p>三、因犯罪行為，經判刑確定者，但因過失犯罪者，不在此限。</p> <p>前項第三款行為，經依第三十三條規定免職者，免付懲戒。</p> <p>民間之公證人有下列情事之一者，得付懲戒：</p> <p>一、有違反第七十一條至第七十五條、第八十條之行為者。</p> <p>二、有其他違反職務上之義務或損害名譽之行為者。</p>	<p>90, paragraph 2 of Article 98, paragraph 1 and paragraph 4 of Article 101, Article 108.</p> <p>2. If the behavior is not corrected after the disciplinary warning issued according to Article 53.</p> <p>3. If there is a final criminal judgment, except criminal negligence, against a civil notary.</p> <p>If civil notaries are removed from their positions according to Article 33 due to the behavior mentioned in any of the above three subparagraphs, there will be no other disciplinary sanctions.</p> <p>Civil notaries may be disciplined if they meet one of the following conditions:</p> <p>1. If they have behaviors violate one of the following articles: Article 71 to Article 75, or Article 80.</p> <p>2. Infamous behavior or other behaviors that are against notarial duties.</p>
<p>第 55 條</p> <p>民間之公證人懲戒處分如下：</p> <p>一、申誡。</p> <p>二、罰鍰一萬五千元以上十五萬元以下。</p> <p>三、停職二月以上二年以下。</p> <p>四、撤職。</p> <p>前項第一款、第二款之處分得同時為之。</p>	<p>Article 55</p> <p>Civil notaries may be disciplined with following sanctions :</p> <p>1. Admonition;</p> <p>2. Administrative fines between NTD \$15,000 and below NTD \$150,000;</p> <p>3. Suspension from duties between 2 months and below 2 years;</p> <p>4. Dismissal from the position.</p> <p><u>The sanctions mentioned</u> in subparagraph 1 and 2 of the preceding paragraph can be sanctioned concurrently.</p>
<p>第 56 條</p> <p>民間之公證人之懲戒，由民間之公證人懲戒委員會為之。</p>	<p>Article 56</p> <p>The disciplinary committee of civil notaries shall have the authority to sanction all civil</p>

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	notaries.
<p>第 57 條</p> <p>民間之公證人懲戒委員會，由高等法院或其分院法官四人及民間之公證人三人組織之，主任委員由委員互選之。</p> <p>民間之公證人懲戒覆審委員會，由最高法院法官五人及民間之公證人四人組織之；主任委員由委員互選之。</p>	<p>Article 57</p> <p>The disciplinary committee of civil notaries (hereinafter "the disciplinary committee") shall consist of four judges from the High Court or its branches and three civil notaries.</p> <p>The chairman shall be elected by and from among the committee members.</p> <p>The disciplinary reexamination committee of civil notaries (hereinafter "the reexamination committee") shall consist of five judges from the Supreme Court and four civil notaries. The chairman shall be elected by and from among the committee members.</p>
<p>第 58 條</p> <p>民間之公證人應付懲戒者，由高等法院或其分院依職權移送民間之公證人懲戒委員會審議。</p> <p>地方法院或其分院認其轄區內民間之公證人有應付懲戒之事由者，得報請高等法院或其分院審查移送民間之公證人懲戒委員會審議。</p> <p>地區公證人公會認其會員有應付懲戒之事由者，得經會員大會或理事、監事聯席會議之決議，送請民間之公證人懲戒委員會審議。</p>	<p>Article 58</p> <p>If the High Court or its branches consider civil notaries' behaviors to be disciplined, the court or branches shall refer the civil notary to the disciplinary <u>committee for</u> discussion pursuant to its authority.</p> <p>If district courts or their branches consider that civil notaries registered with their jurisdiction to be disciplined, they shall report the behaviors to the High Court or its <u>branches for review</u>. The High Court or its branches shall refer the behaviors to the disciplinary committee for discussion.</p> <p>The District Notary Association may refer the misbehavior of its members to the disciplinary committee for discussion if they consider the behaviors must be disciplined. Joint resolutions of directors and supervisors of the associations are required before the referrals.</p>
第 59 條	Article 59

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<p>民間之公證人懲戒委員會受理懲戒案件後，於議決前，應為相當之調查，並予被付懲戒人充分申辯之機會，亦得通知前條之移送機關或公會為必要之說明。</p> <p>前項之議決，應作成議決書。</p>	<p>The disciplinary committee of civil notaries shall properly investigate cases before making resolutions. It shall provide those who were subject to investigation with a sufficient chance to defend themselves. It may inform the agencies or associations which referred the cases to provide explanation of the reasons for sanction if necessary. The disciplinary committee shall make a written resolution statement after making the oral resolution mentioned in the preceding paragraph.</p>
<p>第 60 條</p> <p>受懲戒處分人、依第五十八條第三項移送懲戒之公證人公會，對於民間之公證人懲戒委員會之議決有不服者，得於議決書送達之翌日起二十日內向民間之公證人懲戒覆審委員會請求覆審。</p> <p>前條之規定，於前項覆審程序準用之。</p> <p>關於停職、撤職之處分，經懲戒覆審委員會議決確定後，受懲戒處分人得向原懲戒覆審委員會請求再審議。其請求再審議之事由及程序，準用公務員懲戒法之規定。</p>	<p>Article 60</p> <p>The disciplined civil notaries and the associations that refer cases according to paragraph 3 of Article 58 may apply for an appeal to the reexamination committee. The application of appeal shall be made to the reexamination committee within 20 days after the next day of serving of the written resolution statement.</p> <p>The preceding article shall apply mutatis mutandis to the procedure of appeal.</p> <p>If the reexamination committee's resolution affirms sanctions of suspension or dismissal, the disciplined civil notaries may apply for a re-appeal to the reexamination committee. The Public Functionaries Discipline Act shall apply mutatis mutandis to the procedure and reasons for the application of re-appeal.</p>
<p>第 61 條</p> <p>民間之公證人懲戒程序規則，由司法院定之。</p>	<p>Article 61</p> <p>The Judicial Yuan shall promulgate the rule regarding the disciplinary procedure of civil notaries.</p>
<p>第 62 條</p> <p>懲戒處分確定後，民間之公證人懲戒委員會或懲戒覆審委員會應將全卷函送受懲戒處分人所屬高等法院或其分院，報請司法院分</p>	<p>Article 62</p> <p>After the disciplinary sanctions are finalized, the disciplinary committee or the reexamination committee shall submit all the documents to the High Court or the</p>

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<p>別命令執行；其懲戒處分為停職或撤職者，並應將議決書刊登公報。</p>	<p>branch where the disciplined civil notary is registered. The High Court or its branches shall then report to the Judicial Yuan to issue and execute the orders. The Judicial Yuan shall publish written resolution statements of suspension or dismissals sanctions on the communiques of the Judicial Yuan.</p>
<p>第 63 條 民間之公證人依刑事訴訟程序被羈押，或依刑事確定判決，受拘役以上刑之宣告，在執行中者，其職務當然停止。 民間之公證人應受懲戒之事由情節重大者，司法院得在懲戒程序終結前，先行停止其職務。 民間之公證人依前二項規定停止其職務時，準用第五十條之規定。</p>	<p>Article 63 If a civil notary is detained by authorities during a criminal investigation procedure, or serving imprisonment or detention pursuant to final criminal judgment, the civil notaries' duty is ipso jure suspended. The Judicial Yuan may suspend civil notaries temporarily from their duties until the completion of disciplinary procedure, if the situation of their violation of regulations is serious. Article 50 shall apply mutatis mutandis to the situation that civil notaries are suspended from their duties according to the preceding two paragraphs.</p>
<p>第 64 條 依前條第一項、第二項停止職務之民間之公證人，有下列各款情形之一者，於停止職務之原因消滅後，應許其復職： 一、未受免職、撤職或停職處分者。 二、受拘役以上刑之宣告，經執行完畢而未受免職、撤職或停職處分者。</p>	<p>Article 64 Civil notaries who are suspended from their duties according to paragraphs 1 and 2 of the preceding article, shall be restored to their duties under the following circumstances: 1. They are not subject to the sanctions of removal, dismissal or suspension. 2. They receive the criminal sentence of detention or imprisonment and have served the sentence, and are not subject to the sanctions of removal, dismissal or suspension.</p>
<p>第 65 條 民間之公證人得請求辭去職務，司法院於其依本法規定移交完畢</p>	<p>Article 65 Civil notaries may apply for resignation. The Judicial Yuan shall discharge the civil</p>

<p>後，解除其職務。</p>	<p>notaries' duties after a designated person takes over the objects or documents according to this law.</p>
<p>第 66 條 民間之公證人經依本法免職、停職、撤職、停止職務、退職或辭職而解除其職務者，自命令送達之翌日起，不得繼續執行職務；其依第六十三條第一項規定職務當然停止者，自被羈押或受刑之執行時起，不得繼續執行職務。</p>	<p>Article 66 Civil notaries, who are removed, suspended, dismissed, suspended temporarily, or discharged from duties due to retirement or resignation, may not perform their duties after the next day of receiving the order. Those who are detained or sentenced to prison shall not perform their duties. Civil notaries who are ipso jure suspended temporarily from performing their duties according to paragraph 1 of Article 63 may not perform their duties from the time of detention or serving their sentence of imprisonment.</p>
<p>第 67 條 民間之公證人於執行職務期間，應繼續參加責任保險。 前項保險契約於每一保險事故之最低保險金額，由司法院視情勢需要，以命令定之。但保險人對同一保險年度內之最高賠償金額得限制在最低保險金額之二倍以下。 保險人於第一項之保險契約停止、終止、解除或民間之公證人遲延繳納保險費或有其他足以影響保險契約效力之情形時，應即通知所屬地方法院或其分院及地區公證人公會。</p>	<p>Article 67 Civil notaries shall maintain malpractice liability insurance coverage during the period of performing their duties. The Judicial Yuan shall issue an order to determine the minimum amount of insurance coverage for each insured risk according to the circumstances. However, the insurer may limit the amount of insurance compensation to no more than twice as much as the determined minimum coverage for the given insurance year. Insurers shall immediately inform the district courts, or the branches and District Notary Associations where civil notaries are registered, when the notaries' insurance contracts are suspended, terminated, rescinded, have delayed payment of insurance fees, or other situations that will influence the validity of the insurance contracts</p>
<p>第 68 條 民間之公證人因故意違反職務上之義務，致他人之權利受損害</p>	<p>Article 68 Civil notaries shall compensate for the losses of victims, when said notaries</p>

<p>者，負賠償責任。其因過失者，以被害人不能依他項方法受賠償時為限，負其責任。</p> <p>被害人不能依前項、前條、第一百四十五條規定或他項方法受賠償或補償時，得依國家賠償法所定程序，請求國家賠償。其賠償義務機關為該民間</p> <p>之公證人所屬之地方法院或其分院。</p> <p>前二項之規定，於第四十二條第一項之民間之公證人代理人準用之。</p> <p>國家賠償法第四條第二項之規定，於前二項情形準用之。</p> <p>民間之公證人之助理人或其他使用人，於辦理有關公證事務之行為有故意或過失時，民間之公證人應與自己之故意或過失，負同一責任。</p>	<p>intentionally violate their professional duties and infringe others' rights. If the infringement is negligently caused, the notaries shall compensate for losses when victims are not able to obtain compensation from other sources.</p> <p>If victims cannot acquire compensation or indemnity according to the preceding paragraph, the preceding article, Article 145 or other sources, they may apply for state compensation according to the procedure prescribed by the State Compensation Law. The compensating authority is the district court or its branches, where the said civil notaries are registered.</p> <p>The preceding two paragraphs shall apply mutatis mutandis to the agents of civil notaries stipulated in paragraph 1 of Article 42.</p> <p><u>Paragraph 2 of Article 4 of the State Compensation Law applies mutatis mutandis to the situations stipulated in the preceding two paragraphs.</u></p> <p>Civil notaries shall be responsible for intentional or negligent behaviors of their assistants and other employees when handling notarial affairs.</p>
<p>第 69 條</p> <p>民間之公證人應按月於次月十日前，將作成之公證書、認證書繕本或影本，依受理時間之先後順序彙整成冊，送所屬之地方法院或其分院備查。</p>	<p>Article 69</p> <p>Civil notaries shall, before the tenth day of the following month, <u>submit transcriptions</u> or photocopies of notarial deeds or attested deeds established by them to the courts or its branches where they are registered for future reference and examination every month. They shall collect and organize the aforementioned documents by sequential date of acceptance and bound into volumes.</p>
<p>第 三 章 公 證</p>	<p>Chapter Three: Notarization</p>
<p>第 70 條 公證人不得就違反法令事項及無效之法律行為，作成公</p>	<p>Article 70</p>

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證書。	Notaries shall not establish notarial deeds in violation of laws or regulations, or notarize invalid juristic acts.
<p>第 71 條</p> <p>公證人於作成公證書時，應探求請求人之真意及事實真相，並向請求人說明其行為之法律上效果；對於請求公證之內容認有不明瞭、不完足或依當時情形顯失公平者，應向請求人發問或曉諭，使其敘明、補充或修正之。</p>	<p>Article 71</p> <p>When establishing notarial deeds, notaries shall inquire into the real intention of the parties and the truth of facts. The notaries shall explain the legal consequences of the deeds. When there is confusion, insufficiency, or obviously unfair conditions, notaries shall ask the parties to clarify, making further explanations or corrections.</p>
<p>第 72 條</p> <p>公證人對於請求公證之內容是否符合法令或對請求人之真意有疑義時，應就其疑慮向請求人說明；如請求人仍堅持該項內容時，公證人應依其請求作成公證書。但應於公證書上記載其說明及請求人就此所為之表示。</p>	<p>Article 72</p> <p>If the notaries are dubious regarding the legality of the notarial deed application or question the consistency between the applicants' true intentions and the applicants' expressions, the notaries shall explain their concerns to the applicants. If the applicants insist on the requested content, notaries shall make the notarial deeds per the applicants' requests. However, they shall also indicate their concerns regarding above mentioned issues and the insistent requests of the applicants.</p>
<p>第 73 條</p> <p>公證人作成公證書，應令請求人提出國民身分證或其他身分證明文件，證明其實係本人；如請求人為外國人者，應令其提出護照、其本國使領館出具之證明書或其他身分證明文件。</p>	<p>Article 73</p> <p>When establishing notarial deeds, notaries shall require applicants to provide their National Identification Cards or other identification documents to verify their identities. If applicants are foreigners, they shall provide their passports, certificates issued by their countries' embassies or counselor offices, or other identification documents.</p>
第 74 條	Article 74

<p>請求人不通中國語言，或為聾、啞人而不能用文字表達意思者，公證人作成公證書，應由通譯傳譯之。但經請求人同意由公證人傳譯者，不在此限。</p>	<p>If applicants do not understand the Chinese language, or are deaf, mute, and cannot express their intentions with characters, notaries shall require interpreters to enable communication between the notaries and applicants when establishing notarial deeds. However, the requirement of the interpreters' attendance may be exempted, provided that applicants agree to allow notaries to interpret their meaning directly.</p>
<p>第 75 條</p> <p>請求人為盲者或不識文字者，公證人作成公證書，應使見證人在場。但經請求人放棄並記明筆錄者，不在此限。</p> <p>無前項情形而經請求人請求者，亦應使見證人在場。</p>	<p>Article 75</p> <p>If applicants are blind or illiterate, notaries shall request a witness to attend when establishing notarial deeds. However, applicants may abandon their rights to require witnesses' attendance. Notaries shall write down the abandonment in the record.</p> <p>Applicants without the situations mentioned in the preceding paragraph may also request the attendance of witnesses.</p>
<p>第 76 條</p> <p>由代理人請求者，除適用前三條之規定外，應提出授權書；事件依法非受特別委任不得為之者，並須有特別之授權。</p> <p>前項授權書，如為未經認證之私文書者，應依下列方式之一證明之：</p> <p>一、經有關公務機關證明。</p>	<p>Article 76</p> <p>When applicants have their agents apply for notarization, beyond being subject to the preceding three articles, notaries shall require the agents to provide letters of authorization. When the specific act must have special authorization by law, agents shall provide documents indicating that they have that specific authorization.</p> <p>If the letters of authorization mentioned in the preceding paragraph are private documents without attestation, certification shall be made by one of the following</p>

<p>二、於境外作成者，經中華民國駐外使領館或經外交部授權之駐外機構或經其他有權機關授權之團體證明。</p> <p>三、外國人或居住境外之人作成者，經該國駐中華民國使領館或經該國授權之機構或經該地區有權機關授權之團體證明。</p> <p>授權書附有請求人之印鑑證明書者，與前項證明有同一效力。</p>	<p>methods:</p> <ol style="list-style-type: none"> <li>1. That the documents be certified by relevant governmental agencies;</li> <li>2. That for private documents made in areas outside of the territory of the R.O.C., the documents be certified by the R.O.C.'s embassies, counselor offices, institutions authorized by the Ministry of Foreign Affairs of the R.O.C., or other relevant organizations authorized by other authorities;</li> <li>3. That for private documents made by foreigners or persons living outside the territory of the R.O.C., the documents shall be certified by their countries' embassies or counsel offices stationed in the R.O.C., institutions authorized by their countries' authorities, or organizations authorized by the competent authorities in those areas.</li> </ol> <p>Letters of authorization attached with seals certification issued by the relevant authorities bears the same effect as the certification mentioned in the preceding paragraph.</p>
<p>第 77 條</p> <p>就須得第三人允許或同意之法律行為，請求作成公證書，應提出已得允許或同意之證明書。</p> <p>前條第二項、第三項之規定，於前項情形準用之。</p>	<p>Article 77</p> <p>When applicants apply for notarizing juristic acts that require the approval or consent of a third party, the applicants shall provide certifications that the third party's approval or consent has been acquired.</p>

	Paragraphs 2 and 3 of the preceding article apply mutatis mutandis in the situation mentioned in the preceding paragraph.
<p>第 78 條</p> <p>通譯及見證人，應由請求人或其代理人選定之，見證人得兼充通譯。</p> <p>請求人或其代理人未選定通譯者，得由公證人選定之。</p>	<p>Article 78</p> <p>Applicants or their agents should select their interpreters and witnesses. Interpreters may act as witnesses at the same time.</p> <p>Notaries may select interpreters if applicants or their agents fail to select one.</p>
<p>第 79 條</p> <p>下列各款之人，不得充本法所定之見證人。但第七十五條第二項之情形，不在此限：</p> <p>一、未成年人。</p> <p>二、受監護或輔助宣告之人。</p> <p>三、於請求事件有利害關係者。</p> <p>四、於請求事件為代理人或曾為代理人者。</p> <p>五、為公證人之配偶、直系血親或直系姻親者。</p> <p>六、公證人之佐理員及助理人。</p>	<p>Article 79</p> <p>Persons listed in the following sub-paragraphs shall not act as witnesses for this law. However, this restriction shall not apply in situations mentioned in paragraph 2 of Article 75:</p> <ol style="list-style-type: none"> <li>1. Minors;</li> <li>2. Persons who are subject to a guardianship or assistantship;</li> <li>3. Persons who have a conflict of interests regarding the applied matters;</li> <li>4. Persons who have acted as agents for the applied matters, or used to be agents for the applied matters;</li> <li>5. Persons who are the spouse, lineal relatives by blood, or lineal relatives by marriage</li> </ol>

<p>前項第四款至第六款規定之人，如經請求人全體同意者，仍得為見證人。</p>	<p>of the notary;</p> <p>6. Clerks and assistants of the notaries.</p> <p>Persons listed in sub-paragraphs 4 to 6 of the preceding paragraph may still act as witnesses if they acquire consent of all applicants.</p>
<p>第 80 條</p> <p>公證人作成公證書，應記載其所聽取之陳述與所見之狀況，及其他實際體驗之方法與結果。</p>	<p>Article 80</p> <p>When establishing notarial deeds, notaries shall write down the statements listened to, the circumstances witnessed, and other facts they have actually experienced. The means and results of the experience shall also be stated in the notarial deeds.</p>
<p>第 81 條</p> <p>公證書應記載下列各款事項：</p> <p>一、公證書之字號。</p> <p>二、公證之本旨。</p> <p>三、請求人之姓名、性別、出生地、出生年、月、日、職業、國民身分證</p> <p>    或其他身分證明及其字、號、住、居所；為法人或其他團體者，其名</p>	<p>Article 81</p> <p>A notarial deed shall contain the following items:</p> <ol style="list-style-type: none"> <li>1. The case number of the notarial deed;</li> <li>2. The major purpose of the notarial deed;</li> <li>3. The applicant's name, sex, birthplace, date of birth, occupation, and the number of his/her identification cards or other identification documents, address of domicile or residence, and in case of juristic persons or other organizations, names and offices thereof;</li> </ol>

<p>稱及事務所。</p> <p>四、由代理人請求者，其事由與代理人之姓名、性別、出生地、出生年、</p> <p>月、日、職業、國民身分證或其他身分證明與其字、號、住、居所及</p> <p>其授權書之提出。</p> <p>五、有應逕受強制執行之約定者，其意旨。</p> <p>六、曾提出已得第三人允許或同意之證明書者，其事由，及該第三人之姓名、性別、出生地、出生年、月、日、職業、住、居所，該第三人為</p> <p>法人或其他團體者，其名稱及事務所。</p> <p>七、有通譯或見證人在場者，其事由，及其姓名、性別、出生地、出生年</p> <p>、月、日、職業、住、居所。</p>	<p>4. If applications are made by agents, the record of the agent's applications, the agent's name, sex, birth place, date of birth, occupation, the number of the agent's identification card, or other identification documents, address of domicile or residence, and the submission of letter of authorization;</p> <p>5. The agreement and main purpose of direct enforceability of the notarial deed;</p> <p>6. When the certification of third parties' approvals or consents have been submitted, the third parties' names, sexes, birthplaces, dates of birth, occupations, and addresses of domicile or residence. If the third party is a juristic person or other organization, its name and office;</p> <p>7. Any fact that there are interpreters or witnesses attending, and the names, sexes, birth places, dates of birth, occupations, addresses of domicile or residence of the interpreters or witnesses;</p> <p>8. The date and location of the establishment of the notarial deed.</p>
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<p>八、作成之年、月、日及處所。</p>	
<p>第 82 條</p> <p>公證書應文句簡明、字畫清晰，其字行應相接續，如有空白，應以墨線填充或以其他方法表示其為空白。</p> <p>公證之本旨記載年、月、日及其他數目表示同一內容者，其第一次出現時</p> <p>，應以文字大寫；作成公證書年、月、日之記載，亦應以文字大寫。</p>	<p>Article 82</p> <p>Notarial deeds shall be written in brief and clear words and sentences with neat and legible writing, and the lines of text shall be consecutive. If there is a blank space, an ink line or other method shall be infilled or used to indicate that there is a blank space.</p> <p>When indicating numbers in dates or other contents in the column of major purpose of the notarial deeds, Chinese numerical characters shall be used. The dates of the establishment of notarial deeds shall also be written in Chinese numerical characters.</p>
<p>第 83 條</p> <p>公證書文字，不得挖補；如有增加、刪除或塗改，應依下列方法行之：</p> <p>一、刪除或塗改字句，應留存字跡，俾得辨認。</p> <p>二、公證書末尾或欄外應記明增刪字數，由公證人、請求人或其代理人、 見證人簽名或蓋章。</p> <p>違反前項規定所為之更正，不生效力。</p>	<p>Article 83</p> <p>Characters in notarial deeds shall not be erased or altered. If there is a need to add, delete or alter the characters, the notaries shall follow the requirement stated below:</p> <ol style="list-style-type: none"> <li>1. The original text of the characters or sentences shall remain legible in order to be read clearly by others ;</li> <li>2. The number of the characters being added or deleted shall be indicated in the margin or the end space of the notarial deeds. The notaries, applicants or</li> </ol>

	<p>applicants' agents shall sign or affix their seals thereon.</p> <p>The correction shall not take effect if preceding requirements are violated.</p>
<p>第 84 條</p> <p>公證人應將作成之公證書，向在場人朗讀，或使其閱覽，經請求人或代理人承認無誤後，記明其事由。</p> <p>有通譯在場時，應使通譯將公證書譯述，並記明其事由。</p> <p>為前二項之記載時，公證人及在場人應各自簽名；在場人不能簽名者，公證人得代書姓名，使本人蓋章或按指印，並記明其事由，由公證人簽名。</p> <p>公證書有數頁者，公證人、請求人或其代理人、見證人，應於每頁騎縫處蓋章或按指印，或以其他方法表示其為連續。但公證書各頁能證明全部連續無誤，雖缺一部分人蓋章，其公證書仍屬有效。</p>	<p>Article 84</p> <p>Notaries shall read the contents of the notarial deeds out to those who are present in the establishment. Notaries shall present the notarial deeds to applicants or their agents to inspect. After the applicants or their agents affirm the correctness of the notarial deeds, the notaries shall indicate the process of the affirmation in writing in the deed.</p> <p>When there is an interpreter on the scene, the notaries shall have the interpreter translate the notarial deed orally, and indicate the process of translation.</p> <p>After the notaries have entered the above-mentioned statements, the notaries and other persons present shall all sign their names below the statements. If any person present is unable to sign, the notaries shall write down that person's name, request the person affix his/her seal, or press his/her fingerprint below the statement. The notaries shall indicate the situation and sign below.</p> <p>If the notarial deeds consist of two or more sheets of paper, notaries, applicants or their agents, and witnesses shall affix their seals or fingerprints along the adjacent edges of the consecutive sheets, or use other methods to demonstrate</p>

	the documents' consecution. However, if the notarial deeds' completeness can be proven, the validity of the notarial deeds remain unaffected, even if any of the above mentioned parties fails to affix their seals or press their fingerprints.
第 85 條 公證書內引用他文書或與文書有相同效用之物件為附件者，公證人、請求人或其代理人、見證人應於公證書與該附件之騎縫處蓋章或按指印，或以其他方法表示其為連續。 前三條之規定，於前項附件準用之。	Article 85 If any other documents or other objects with equivalent effects to documents are referred and attached to the notarial deeds, the notaries, applicants or their agents shall affix their seals or fingerprints on the adjacent edges between the notarial deeds and consecutive attachments or use other methods to demonstrate the consecution of the notarial deeds and attachments. The preceding three articles shall apply mutatis mutandis to the attachments mentioned in the preceding paragraph.
第 86 條 依前條規定所為之附件，視為公證書之一部。	Article 86 Attachments mentioned in the preceding article shall be deemed as part of the notarial deeds.
第 87 條 公證人應將公證書、證明身分、代理人權限、第三人允許或同意之證明書及其他附屬文件，編為卷宗保存之。 前項卷宗，應逐頁連續編號，如請求人請求返還附屬文件時，得將其繕本或影本替代原本保存之。	Article 87 Notaries shall file the notarial deeds together with the certificates of identity, power of representation, the approval or consent of third parties, and other ancillary documents into volumes and preserve them properly. Notaries shall encode serial numbers by page on the volumes mentioned in the preceding paragraph. When applicants require the return of the original of <u>the ancillary</u> documents, the notaries may preserve transcriptions or photocopies instead of the original.

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<p>第 88 條</p> <p>公證書之原本全部或一部滅失時，公證人應徵求已交付之正本、經證明與正本相符之繕本或影本，或向所屬地方法院或其分院請求調閱公證書繕本或影本，經該院院長認可後，依該正本、繕本或影本作成經認證之繕本，替代原本保存之。</p> <p>前項情形及認可之年、月、日，應記明於替代原本之繕本並簽名。</p>	<p>Article 88</p> <p>When the notarial deeds are entirely or partly lost or destroyed, the notaries shall make <u>attested transcriptions</u> and preserve them as substitutes for the originals. The notary may utilize any of the following methods in producing a substitute. The notary may solicit authentic copies delivered by applicants; the notaries may make copies or photocopies that have been proved to be identical with the authentic copies; or, after obtaining the approval from the chief of the courts or branches where they registered, the notary may apply for the retrieval of the transcriptions or photocopies of the lost or destroyed notarial deeds.</p> <p>The situation mentioned in the preceding paragraph and the date of the approval shall be indicated in the transcriptions that were made to substitute for the originals and signed by the notaries.</p>
<p>第 89 條</p> <p>請求人或其繼受人或就公證書有法律上利害關係之人，得請求閱覽公證卷內文書。</p> <p>第七十三條、第七十六條、第七十七條之規定，於依前項為請求時準用之。</p> <p>請求人之繼受人及就公證書有法律上利害關係之人請求閱覽時，應提出證明文件。</p> <p>第七十六條第二項、第三項之規定，於前項證明文件準用之。</p>	<p>Article 89</p> <p>Applicants, their successors, or other persons who have legal interests in the notarial deeds may request an inspection of documents collected in the files connected to the notarial deeds.</p> <p>Article 73, 76 and 77 shall apply mutatis mutandis to the requests mentioned in the preceding paragraph.</p> <p>Applicants' successors and other persons who have legal interests in the notarial deeds shall provide documents to prove their standing when making requests for inspection.</p> <p>Paragraphs 2 and 3 of Article 76 shall apply mutatis mutandis to the documents mentioned in the preceding paragraph.</p>

刪除: attested transcriptions

<p>第 90 條 公證人應編製公證書登記簿及其他相關之簿冊。 前項簿冊及其應記載之內容，由司法院定之。</p>	<p>Article 90 Notaries shall prepare the register books of notarial deeds or other relevant books. The Judicial Yuan shall determine the format of these books and the contents that shall be recorded as mentioned in the preceding paragraph.</p>
<p>第 91 條 公證人得依職權或依請求人或其繼承人之請求，交付公證書之正本。 第七十三條、第七十六條、第七十七條、第八十九條第三項之規定，於依前項為請求時準用之。</p>	<p>Article 91 Notaries may deliver authenticated copies of notarial deeds by their authority or per applicants' or their successors' requests. Article 73, 76, 77, and paragraph 3 of Article 89, shall apply mutatis mutandis to the requests mentioned in the preceding paragraph.</p>
<p>第 92 條 公證書正本應記載下列各款事項，由公證人簽名並蓋職章或鋼印： 一、公證書之全文。 二、記明為正本字樣。 三、受交付人之姓名。 四、作成之年、月、日及處所。 違反前項規定者，無正本之效力。</p>	<p>Article 92 Authenticated copies of notarial deeds shall contain the following particulars and be signed and sealed with official seals or the steel stamps of the notaries who establish it: 1. The full text of the notarial deeds; 2. The indication as authenticated copies; 3. The name of the person who accepts the delivery of the authenticated copies; and 4. The dates and places of the establishment. Documents established in violation of the preceding paragraph shall not have the effect as authenticated copies of notarial deeds.</p>
<p>第 93 條 一公證書記載數事件，或數人共一公證書時，得請求公證人節錄與自己有關係部分，作成公證書正本。</p>	<p>Article 93 When notarial deeds enumerate several events or several persons share one notarial deed, each applicant or interested person may request the notaries excerpt the sections</p>

<p>前項正本，應記明係節錄正本字樣。</p>	<p>relevant to those applicants and establish authentic copies of those sections for them. In the authenticated copies mentioned in the preceding paragraph, the notaries must indicate that these are excerpted authenticated copies from the original notarial deeds.</p>
<p>第 94 條 公證人交付公證書正本時，應於該公證書原本未行之後，記明受交付人之姓名、事由及年、月、日，並簽名。</p>	<p>Article 94 When notaries deliver the authenticate copies of the notarial deeds, they shall indicate the names of the persons who accept the authentic copies, the reasons for these requests, and dates, and the notaries shall sign at the end of the original copies of the notarial deeds.</p>
<p>第 95 條 請求人或其繼承人或就公證書有法律上利害關係之人，得請求交付公證書及其附屬文件之繕本、影本或節本。 第七十三條、第七十六條、第七十七條、第八十九條第三項之規定，於依前項為請求時準用之。</p>	<p>Article 95 Applicants, their successors, or other persons who have legal interests in the notarial deeds, may request the delivery of transcriptions , photocopies, or excerpt copies of the notarial deeds or the ancillary documents. Article 73, 76, 77, and paragraph 3 of Article 89 shall apply mutatis mutandis to the requests mentioned in the preceding paragraph.</p>
<p>第 96 條 公證書及其附屬文件之繕本、影本或節本，應記載下列各款事項，由公證人簽名並蓋職章或鋼印： 一、公證書及其附屬文件之全文或一部分。 二、記載為繕本、影本或節本字樣。 三、作成之年、月、日及處所。</p>	<p>Article 96 Transcriptions , photocopies, or excerpt copies of notarial deeds or their ancillary documents shall contain the following particulars and be signed and sealed with official seals or steel stamps by the notaries: 1. The full text or an abridgment of the notarial deeds and their ancillary documents; 2. The indication as transcriptions, photo copies, or excerpt copies; 3. The dates and places of establishment.</p>

<p>第 97 條</p> <p>公證書正本或公證書及其附屬文件之繕本、影本或節本有數頁時，公證人應於騎縫處蓋章，或以其他方法表示其為連續。</p> <p>第八十二條、第八十三條之規定，於前項文書準用之。</p>	<p>Article 97</p> <p>If authenticate copies of notarial deeds or transcriptions , photocopies, or excerpt copies of notarial deeds and ancillary documents contain more than one page, notaries shall affix impressions of their seals on the adjacent edges between sheets or use other methods to demonstrate the consecution of different pages.</p> <p>Article 82 and 83 shall apply mutatis mutandis to the documents mentioned in the preceding article.</p>
<p>第 98 條</p> <p>公證遺囑，除請求人外，不得請求閱覽或交付正本、繕本、影本或節本。</p> <p>但請求人聲明願意公開或於公證遺囑後死亡者，不在此限。</p> <p>公證人應於作成公證遺囑之日起十日內製作繕本一份，將其密封，於封面上記明遺囑人之人別資料及作成之年、月、日，加蓋職章後，送交全國公證人公會聯合會保存之。</p> <p>於有第一項但書之情形，請求人之繼受人或就公證遺囑有法律上利害關係之人，亦得向全國公證人公會聯合會查詢有無第一項之遺囑並請求閱覽。</p> <p>前二項之規定，於其他遺囑之公證，準用之。</p>	<p>Article 98</p> <p>No one may apply for an inspection of a notarial will, nor may anyone apply for deliveries of authenticated copies, transcriptions , photocopies, or excerpt copies of a will except testators. However, testators may declare that their wills are open for inspection before or after their deaths.</p> <p>Notaries shall establish transcriptions of notarial wills within ten days of establishing the wills. The transcriptions shall be sealed in envelopes with indications of identification information of the testators and the dates of establishment on the envelopes' covers with the notaries' official seals. The notaries shall deliver the transcriptions to The National Confederated Notary Association for preservation.</p> <p>If testators declare their willingness to open their wills for inspection according to paragraph 1, successors of the testators or other persons with legal interests on the notarial wills may request searches for the existence and inspection of the wills.</p> <p>The preceding two paragraphs shall apply mutatis mutandis to the notarization of other forms of wills.</p>

<p>第 99 條 公證人依票據法作成拒絕證書者，不適用第十八條、第七十三條至第七十七條及第八十一條之規定。</p>	<p>Article 99 When notaries issue protests of negotiable instruments according to the Negotiable Instruments Act, Article 18, Articles 73 to 77, and Article 81 do not apply.</p>
<p>第 四 章 認 證</p>	<p>Chapter 4: Attestation</p>
<p>第 100 條 公證人認證文書，應作成認證書。</p>	<p>Article 100 When notaries attest documents, they shall establish deeds of attestation.</p>
<p>第 101 條 公證人認證私文書，應使當事人當面於私文書簽名，或承認為其簽名，並於認證書內記明其事由。 認證公文書之原本或正本，應就其程式及意旨審認該文書是否真正。 認證公文書或私文書之繕本或影本，應與經審認為真正之原本、正本對照 相符，並於繕本或影本內記明其事由。 認證文書之翻譯本者，除依前三項規定辦理外，應審查該翻譯語文是否正確，並將原文連綴其後。 公文書或私文書有增刪、塗改、損壞或形式上顯有可疑之點者，應記明於認證書內，必要時，並得為查證。</p>	<p>Article 101 When attesting private documents, notaries shall require relevant parties to sign before the notaries or to acknowledge their signatures, and indicate aforementioned situations in deeds of attestation. When attesting official documents, notaries shall verify the veracity of the documents according to their formality and tenor. When attesting transcriptions or photocopies of official or private documents, notaries shall compare above-mentioned documents with the verified original or authentic documents and assure their conformity. Aforementioned requirement shall be indicated in the transcription or photocopies. When attesting translations of documents, notaries shall review the correctness of translation and affix the original texts after the translations. The preceding three paragraphs apply to the attestation of translation. When there are insertions, deletions, alterations, damages or apparently dubious points on the documents' formality, notaries shall indicate aforementioned conditions in deeds of attestation. Notaries may make investigation when necessary.</p>

<p>第 102 條</p> <p>公證人認證請求人陳述私權事實之私文書，以該文書係持往境外使用者為限，得命請求人親自到場並為具結。</p> <p>請求人陳述私權事實之私文書，依法律或基於法律授權訂定之命令，得提出於法院或其他機關為一定之證明者，請求人請求認證時，適用前項認證方法之規定。</p>	<p>Article 102</p> <p>Notaries may attest private documents declaring facts regarding private rights only when the documents are made for use outside the territory of the R.O.C. Notaries may require applicants who make the documents to show up in person and sign affidavits.</p> <p>When the aforementioned documents are prepared to be presented to courts or other agencies for evidence according to laws or other regulations authorized by laws, notaries may attest the documents following the methods stipulated in the preceding paragraph.</p>
<p>第 103 條</p> <p>請求人依前條規定具結，應於結文內記載當據實陳述決無虛偽等語。</p> <p>公證人於請求人具結前，應告以具結之意義及虛偽陳述之處罰。</p>	<p>Article 103</p> <p>When signing affidavits prescribed in the preceding article, applicants shall indicate they will tell the truth without any falsification and use other equivalent phrases in affidavits.</p> <p>Before applicants sign affidavits, notaries shall explain the meaning of signing affidavits and the punishment for making false declaration to applicants.</p>
<p>第 104 條</p> <p>請求認證文書，應提出文書之繕本或影本。</p>	<p>Article 104</p> <p>When applying for attestation, applicants shall provide transcriptions or photocopies of documents.</p>
<p>第 105 條</p> <p>認證書應記載下列各款事項，由公證人及在場人簽名，並蓋公證人職章或鋼印：</p> <p>一、認證書之字號。</p> <p>二、依第一百零一條規定為認證之意旨。</p>	<p>Article 105</p> <p>Notaries and those who are in presence when attesting documents shall sign on the deed of attestation. Notaries shall affix <u>their official</u> seals or steel <u>stamps on</u> the deeds of attestation. A deed of attestation shall contain following particulars :</p> <p>1. The document number of the deed of attestation;</p>

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<p>三、認證之年、月、日及處所。 為第一百零一條第一項之認證者，其認證書並應記載第八十一條第三款、第四款、第六款及第七款所定之事項。 認證書應連綴於認證之文書；由公證人及在場人加蓋騎縫章，或以其他方法表示其為連續。</p>	<p>2. The type of attestation according to Article 101; 3. The date and place of attestation. Deeds of attestation made according to paragraph 1 of Article 101, shall contain matters stipulated by Paragraphs 3, 4, 6, and 7 of Article 81. Deeds of attestation shall be affixed on the attested documents. Notaries who attest the document and those who are in presence shall affix impression of their stamps on the adjacent margins between the deeds of attestation and the attested documents. Other methods may be utilized to demonstrate the consecution of the deeds and the attested documents.</p>
<p>第 106 條 公證人得在認證之文書上以直接註記之方式為認證，記載前條第一項規定之事項，由其簽名並蓋職章或鋼印。 依前項方式為第一百零一條第一項之認證者，並應依前條第二項之規定為 記載。但請求書或認證之文書上已有記載者，不在此限。</p>	<p>Article 106 Notaries may add notations directly on attested documents instead of affixing deeds of attestation. The notation shall state items stipulated in paragraph 1 of the preceding article. Notaries shall sign and impress <u>their official</u> seals or steel stamps over the notation. Notaries who attest private documents according to paragraph 1 of Article 101 with the method mentioned in the preceding paragraph shall indicate the items stipulated in paragraph 2 of the preceding article. However, if the items mentioned above are stated in the application forms or documents to be attested, paragraph 2 of the preceding article does not apply.</p>
<p>第 107 條 認證，除本章有規定外，準用前章公證之規定。</p>	<p>Article 107 Provisions in the preceding chapter regarding notarization shall apply mutatis mutandis to attestation, unless the same matter is regulated in this chapter.</p>

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<p>第五章 公證費用</p>	<p>Chapter 5: Notarial Fees</p>
<p>第 108 條 公證費用，應依本章之規定收取之，不得增減其數額。</p>	<p>Article 108 Notarial fees shall be charged according to the provisions in this chapter. The notaries shall not increase or decrease the amount of fees of notarization.</p>
<p>第 109 條 請求就法律行為或涉及私權之事實作成公證書者，其費用除本法另有規定外，按其標的之金額或價額，依下列標準收取之： 一、二十萬元以下者，一千元。 二、逾二十萬元至五十萬元者，二千元。 三、逾五十萬元至一百萬元者，三千元。 四、逾一百萬元至二百萬元者，四千元。 五、逾二百萬元至五百萬元者，五千元。 六、逾五百萬元至一千萬元者，六千元。 七、逾一千萬元至五千萬元者，其超過一千萬元部分，每一千萬元加收二千元；不滿一千萬元者，按一千萬元計算。 八、逾五千萬元者，其超過部分，每一千萬元加收一千元，不滿一千萬元者，按一千萬元計算。</p>	<p>Article 109 Notarial fees, unless otherwise provided by this law, are based on the subject matter's value, and shall be charged according to the following fee schedule: 1. When the subject matter's value is NTD\$200,000 and under, the fee shall be NTD\$1000; 2. When the subject matter's value is between NTD\$ 200,001 and 500,000, the fee shall be NTD\$ 2000; 3. When the subject matter's value is between NTD\$500,001 and 1,000,000, the fee shall be NTD\$ 3000; 4. When the subject matter's value is between NTD\$ 1,000,001 and 2,000,000, the fee shall be NTD\$ 4000; 5. When the subject matter's value is between NTD\$ 2,000,001 and 5,000,000, the fee shall be NTD\$ 5000; 6. When the subject matter's value is between NTD\$ 5,000,001 and 10,000,000, the fee shall be NTD\$ 6000; 7. When the subject matter's value is between NTD\$ 10,000,001 and 50,000,000, with every NTD\$ 10,000,000 increase in value, the fee shall increase NTD\$ 2000. An increase in value less than NTD\$ 10,000,000 shall be calculated as NTD\$ 10,000,000;</p>

	and 8. When the subject matter's value is over NTD\$ 50,000,000, with every NTD\$ 10,000,000 increase in value, the fee shall increase NTD\$ 1000. An increase in value less than NTD\$10,000,000 shall be calculated as NTD\$10,000,000.
第 110 條 關於計算公證事件標的之價額，本法未規定者，準用民事訴訟費用有關之規定。	Article 110 The provisions of the Code of Civil Procedure shall apply mutatis mutandis to the assessment of notarization expenses, unless otherwise provided by this law.
第 111 條 典權之價額，以其典價為準。	Article 111 The value of the right of Dian (a certain type of pawn right on a real estate) shall be assessed by the price of acquiring the possession of the real estate.
第 112 條 公證之法律行為或涉及私權之事實，其標的之價額不能算定者，收取費用一千元。	Article 112 When the value of the subject matter of juristic acts and facts related to private rights for notarization cannot be determined, the notarial fee is NTD \$1,000.
第 113 條 請求就婚姻、認領、收養或其他非因財產關係之法律行為或涉及私權之事實，作成公證書者，收取費用一千元。 於非財產關係之公證，並請求為財產關係之公證者，其公證費用分別收取之。	Article 113 When the subject matter for notarization regards marriage, acknowledgment, adoption or other non-proprietary rights events, the fee for establishing a notarial deed is NTD\$1000. When notarizing a non-proprietary right event with its corresponding proprietary relationships, the notarial fee of the relationships shall be assessed separately
第 114 條 請求就下列各款事項作成公證書者，收取費用一千元： 一、承認、允許或同意。	Article 114 When applicants apply for establishing notarial deeds regarding the following matters, the notarial fee is NTD\$1000:

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<p>二、契約之解除或終止。</p> <p>三、遺囑全部或一部之撤回。</p> <p>四、曾於同一公證處或公證人事務所作成公證書之法律行為之補充或更正。但以不增加標的金額或價額為限。其增加標的金額或價額者，就增加之部分，依第一百零九條之規定收取費用。</p>	<p>1. Acknowledgement, approval, or consent;</p> <p>2. Rescission or termination of a contract;</p> <p>3. Withdrawal of a will in part or in whole; or</p> <p>4. An amendment or correction of a notarial deed regarding a juristic act that was made in the same notarial office without increasing the value of the subject matter. For those amendments or corrections of notarial deeds, notaries shall assess the notarial fees for the increased portion according to Article 109.</p>
<p>第 115 條</p> <p>請求作成公證書，須實際體驗者，依其所需之時間，按一小時加收費用一千元；不滿一小時者，按一小時計算。</p>	<p>Article 115</p> <p>When notaries' actual personal experience is necessary for the establishment of notarial deeds, the notaries shall additionally charge NTD\$1000 for each hour of experience. If the time of experience is less than one hour, the charge shall be for a full hour.</p>
<p>第 116 條</p> <p>請求就股東會或其他集會之決議作成公證書者，依前條之規定收取費用。</p>	<p>Article 116</p> <p>When establishing notarial deeds regarding resolutions of shareholders' meeting or other meetings, the notaries shall charge notarial fees according to the preceding article.</p>
<p>第 117 條</p> <p>請求就密封遺囑完成法定方式者，收取費用一千元。</p>	<p>Article 117</p> <p>The notarial fee to an applicant for following the legal procedure of notarizing a sealed will is NTD\$1000.</p>
<p>第 118 條</p> <p>請求作成授權書、催告書、受領證書或拒絕證書者，收取費用一千元。</p>	<p>Article 118</p> <p>The notarial fee to an applicant for the notarization of letters of authorization, demand letters, written receipts of performance, or protests of negotiable instruments is NTD \$1000.</p>

<p>第 119 條 請求就法律行為作成公證書，並載明應逕受強制執行者，依第一百零九條或第一百十二條所定之費用額，加收二分之一。</p>	<p>Article 119 When an applicant applies for establishing notarial deeds regarding juristic acts and also specifies the deeds' immediate enforceability, the notarial fees is according to the standards specified in Article 109 or 112, and add a 50% fee.</p>
<p>第 120 條 請求就文書為認證者，依作成公證書所定之費用額，減半收取之。</p>	<p>Article 120 When applicants apply for the attestation of documents, the notaries shall charge the fee as half of the notarial fees.</p>
<p>第 121 條 本法未規定公證費用之事項，依其最相類似事項之規定收取費用。</p>	<p>Article 121 When applicants apply for notarization or attestation of matters without stipulations regarding their assessment of notarial fees in this law, the notaries shall charge the fee according <u>to provisions regulating</u> the most similar matters.</p>
<p>第 122 條 公證人因請求人之請求，於夜間、例假日或其他法令所定執行職務時間外之時間執行公、認證職務者，各依本法所定之費用額，加收二分之一。但加收部分最高不得超過五千元。</p>	<p>Article 122 When the notaries perform their duties per applications of applicants after hours at night, during holidays, or for other time frames which are outside the normal working hours stipulated by laws or regulations, the notaries shall charge additional fees according to relevant provisions of this law. The additional amount shall be half of the regular notarial fee assessed according to this law. However, the additional fee shall not exceed NTD\$5000.</p>
<p>第 123 條 公證人在請求人病榻前或其他相類場所執行公、認證職務者，加收費用二千元。</p>	<p>Article 123 When the notaries perform their duties of notarization or attestation for bedridden applicants or other similar situations, the notaries shall charge an additional fee of</p>

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	NTD\$2000.
<p>第 124 條</p> <p>公證人作成之公證書，其張數如超過六張時，超過部分每一張加收費用五十元。</p> <p>前項之張數，以一行二十五字、二十行為一張，未滿一張者，以一張計算。</p>	<p>Article 124</p> <p>When the notaries establish notarial deeds, there will be an additional charge for more than 6 pages. The additional charge will be NTD\$50 for each page.</p> <p>Each page in a notarial deed shall contain 20 lines, and each line consists of 25 words.</p> <p>When a page does not contain 20 lines, it shall be considered as one full page when assessing the additional fee.</p>
<p>第 125 條</p> <p>公證人因請求人之請求以外文作成公證書或認證文書之翻譯本者，依本法所定之費用額，加收二分之一。但加收部分最高不得超過一萬元。</p>	<p>Article 125</p> <p>When the notaries establish notarial deeds in foreign languages or attest translation of documents, the notaries shall charge a 50% additional fee. The additional fee shall not exceed NTD\$10,000.</p>
<p>第 126 條</p> <p>公證人已著手執行職務後，因請求人之請求停止其職務之執行，或因可歸責於請求人或到場人之事由致不能完成職務之執行者，依本法所定之費用額，收取二分之一。但最高不得超過五千元。</p>	<p>Article 126</p> <p>If applicants request termination of notarization or attestation after the notaries start performing duties, or the notaries cannot complete performing their duties due to reasons caused by the applicants or persons in presence, the notaries shall charge for half of the notarial fees stipulated by this law. However, the fee charge according to this <u>article shall</u> not <u>exceed NTD\$5,000</u>.</p>
<p>第 127 條</p> <p>請求人或其他就法律上有利害關係之人請求閱覽公、認證卷內文書者，每閱覽一次收取費用二百元。</p>	<p>Article 127</p> <p>When applicants or other legally interested persons apply for inspection of documents in the file of notarial deeds or deeds of attestation, the fee shall be NTD\$ 200 per inspection.</p>
<p>第 128 條</p>	<p>Article 128</p>

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<p>請求交付公、認證書及其附屬文件之繕本、影本或節本者，每份收取二百元。其張數超過六張時，每一張加收五元。</p> <p>翻譯費每百字收取費用一百元至四百元，由公證人酌定之，其酌定標準由司法院另以命令定之。未滿百字者，按百字計算。</p> <p>郵電費、運送費、登載公報新聞紙費、送達公證文件費、法院之公證人、佐理員出外執行職務之旅費、民間之公證人、助理人出外執行職務及鑑定人、通譯之日費及旅費，準用民事訴訟費用有關之規定。</p>	<p>When applying for transcriptions, photocopies or excerpt copies of notarial deeds, or deeds of attestations or ancillary documents, the fee shall be NTD \$200 for each copy. For each copy which exceeds 6 pages, the charge per additional page will be NTD\$ 5.</p> <p>Notaries shall charge a translator's fee of NTD \$100 to \$400 for each 100 words. The Judicial Yuan shall determine the criteria for notaries' assessment of the translation fee by regulation. A fraction of less than 100 words shall be considered as 100 words for the purpose of fee assessment.</p> <p>The Code of Civil Procedure shall apply mutatis mutandis to the assessment of following expenses: the cost of postage and telegrams, freight costs, expenses for publication in official gazettes or newspapers, expenses for serving notarial documents, travel expenses of court notaries and their clerks incurred when performing their duties, travel expenses of civil notaries and their assistants incurred during the execution of notarial duties, and daily fees and travel expenses of expert witnesses and interpreters.</p>
<p>第 129 條</p> <p>本章所定之收費標準，司法院得按情勢需要，以命令減至二分之一，或增至十倍。</p>	<p>Article 129</p> <p>The Judicial Yuan may increase or decrease notarial fees charged by orders due to changing circumstances. The maximum change is a one-half decrease or a ten times increase, according to the situation.</p>
<p>第六章 公會</p>	<p>Chapter 6: The Notary Associations</p>
<p>第 130 條</p> <p>公證人公會，以謀求公證理論與實務之研究發展，砥礪會員品德，增進共同利益，執行民間之公證人之研習、指導、監督及處理其他共同有關事項</p>	<p>Article 130</p> <p>The purposes of the Notary Associations are to promote the development of theory and practice of <b>notarization</b>, and to establish standards of ethics, as well as to further the common interests of the civil notaries, and to conduct learning, instruction, monitoring</p>

為宗旨。	and disposal of other commonly related issues.
第 131 條 公證人公會為法人。	Article 131 The Notary Associations are juridical persons.
第 132 條 公證人公會由民間之公證人依法組織之。 民間之公證人除執行律師業務者外，應加入公證人公會，公證人公會不得拒絕其加入。 法院之公證人及執行律師業務之民間之公證人，得加入其所屬法院所在地之地區公證人公會為贊助會員。	Article 132 The Notary Associations shall be organized by civil notaries. Except for attorney notaries, all civil notaries shall join the notary association. Memberships in the Notary Associations are a right for all duly licensed civil notaries. Court notaries and attorney notaries may join District Notary Associations in the jurisdiction of the district court where they are registered as sustaining members.
第 133 條 公證人公會分為地區公證人公會及全國公證人公會聯合會。 高等法院或其分院所屬地方法院或其分院登錄之民間之公證人總數滿九人者，應於該高等法院或其分院所在地組織地區公證人公會，並以該高等法院或其分院之管轄區域為組織區域；其未滿九人者，應加入鄰近高等法院或其分院管轄區域內之地區公證人公會，或共同組織之。 全國公證人公會聯合會，應由各地區公證人公會三個以上之發起，及全體過半數之同意，於中央政府所在地組織之。 地區公證人公會應加入全國公證人公會聯合會為會員。 在同一組織區域內之同級公會，以一個為限。	Article 133 The Notary Associations are comprised of the District Notary Associations and the National Confederated Notary Associations. When there are 9 or more civil notaries registered with any district court or its subdivisions registered with the same High Court or the High Court's branches, the notaries so registered are required to form a District Notary Association within the jurisdiction of the High Court or its branch. When there are fewer than 9 civil notaries, those notaries shall join the District Notary Association in the jurisdiction of the High Court or branch closest to them, or form a Multi-Jurisdiction District Notary Association in operation with civil notaries from a contiguous District. The National Confederated Notary Association shall be initiated by a proposal raised by no less than 3 District Notary Associations, and agreed to by more than half of all District Notary Associations. The National Notary Association headquarters shall be

	<p>located in the capital of the R.O.C.</p> <p>All District Notary Associations shall join the National Confederated Notary Associations as members.</p> <p>There shall be only one notary association organized within a single national or district jurisdiction.</p>
<p>第 134 條</p> <p>公證人公會置理事、監事，由會員大會選舉之，其名額如下：</p> <p>一、地區公證人公會，理事三人至十一人，監事一人至三人。</p> <p>二、全國公證人公會聯合會，理事五人至十七人，監事一人至五人。</p> <p>前項理事名額不得超過全體會員人數二分之一，監事名額不得超過理事名額三分之一。</p> <p>公證人公會得置候補理事、候補監事，其名額不得超過理事、監事名額三分之一。</p> <p>理事、監事名額在三人以上者，得分別互選常務理事及常務監事，其名額不得超過理事或監事總額之三分之一；並由理事就常務理事中選舉一人為理事長，其不設常務理事者，就理事中互選之。第一項理事、監事任期三年，連選得連任，理事長之連任以一次為限。</p>	<p>Article 134</p> <p>Notary Associations shall charter directors and supervisors. Meetings of the members of the Notary Associations shall elect both the directors and supervisors.</p> <p>1. For a District Notary Association, there shall be between 3 and 11 directors and between 1 and 3 Supervisors;</p> <p>2. For the National Confederated Notary Association, there shall be between 5 and 17 directors and between 1 and 5 supervisors.</p> <p>The number of directors stipulated in the preceding paragraph shall not exceed half of its membership; the number of supervisors shall not exceed one-third of the number of directors.</p> <p>The Notary Associations may elect alternate directors and supervisors. The number of alternate directors and supervisors shall not exceed one third of the number of directors and supervisors.</p> <p>If there are more than three directors or supervisors, they may nominate managing directors or supervisors from among themselves separately. The number of managing directors and managing supervisors shall not exceed one third of the seats of the association's directors or supervisors. One of the managing directors shall be elected as</p>

	<p>board chairman by the entire director membership. In the case that an association has no managing directors, the board of directors shall elect a chairman of the board from among the entire director membership.</p> <p>The terms of office of directors or supervisors shall be three years, but they are eligible for re-election. The chairman of the board of directors shall only be re-elected once.</p>
<p>第 135 條</p> <p>全國公證人公會聯合會由各地區公證人公會選派之代表，舉行代表大會，行使會員大會職權；其代表之人數，依各地區公證人公會會員人數之比例，於章程中定之。</p>	<p>Article 135</p> <p>The National Confederated Notary Association shall consist of all District Notary Associations. Each District Notary Association shall select representatives to attend the representative meetings of the National Confederated Notary Association, and exercise the rights of the member associations. The number of representatives sent by each District Notary Association shall be stipulated in the charter of the National Confederated Notary Association. The ratio of the number of representatives of each District Notary Association within all associations shall be relative to the number of members of each association.</p>
<p>第 136 條</p> <p>地區公證人公會應訂立章程，報經所在地高等法院或其分院轉送司法院核准後，向所在地社會行政主管機關報備；章程有變更時，亦同。</p> <p>全國公證人公會聯合會應訂立章程，報經司法院核准後，向中央社會行政主管機關報備；章程有變更時，亦同。</p>	<p>Article 136</p> <p>District Notary Associations shall enact their charters, and report to the High Courts or its branches where the association is located to admit the charter. The High Court or its branches shall transfer the report to competent local social administrative authorities for filing after admitting the charter. The same procedure shall be followed when they amend their charter.</p> <p>The National Confederated Notary Association shall enact its charter, and report the charter to the Judicial Yuan for admission. It shall file its charter with competent</p>

	central administrative authorities. The same procedure shall be followed when the National Confederated Notary Association amends its charter.
<p>第 137 條</p> <p>地區公證人公會章程，應載明下列事項：</p> <p>一、名稱及會址。</p> <p>二、所屬區域。</p> <p>三、組織。</p> <p>四、會員資格之取得與喪失。</p> <p>五、會員之權利與義務。</p> <p>六、理事、監事之名額、職權、任期、選任及解任。</p> <p>七、會員大會及理事、監事會議之召集程序及決議方法。</p> <p>八、經費及會計。</p> <p>九、章程修改之程序。</p> <p>一〇、其他有關會務之必要事項。</p> <p>前項章程，並得載明關於公證人互助基金之設置及運用事項。</p>	<p>Article 137</p> <p>Charters of District Notary Associations shall specifies the following entries :</p> <ol style="list-style-type: none"> <li>1. The name and the site of the association;</li> <li>2. The district where it registered;</li> <li>3. The organization of the association;</li> <li>4. Rules for admission and withdrawal/forfeit of membership;</li> <li>5. Rights and obligations of its members;</li> <li>6. The number of directors' and supervisors' seats; also their duties, authorities, terms and process of election; and dismissal of directors and supervisors;</li> <li>7. The procedure for convening meetings of members, meetings of directors, and meetings of supervisors; also the method of adopting resolutions of previously mentioned meetings;</li> <li>8. Expenditure and accounting;</li> <li>9. The procedure for amending its charter; and</li> <li>10. Other clauses necessary for the functioning of the District Notary Association.</li> </ol> <p>The charters mentioned in the preceding paragraph may also specifies the establishment and usage of a mutual assistance fund for the notaries.</p>
<p>第 138 條</p> <p>地區公證人公會會員大會由理事長召集之，每年至少召集一次。</p>	<p>Article 138</p> <p>The general members' meeting of each District Notary Association shall be convened</p>

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<p>理事長不為召集時，監事得召集之。</p> <p>如有全體會員五分之一以上之請求，表明會議目的及召集理由，請求召集時，理事長應召集之。</p> <p>理事長受前項之請求後，一個月內不為召集者，得由請求之會員，經法院之許可加集之。</p> <p>會員大會之召集，除章程另有規定外，應於三十日前對各會員發出通知。</p> <p>通知內應載明會議目的事項。</p>	<p>at least once each year. The meeting shall be convened by the chairman of the board of directors. If the chairman of the board of directors fails to convene the meeting, each supervisor may convene the general members' meeting.</p> <p>If one fifth of the association's membership specifies a purpose and reasons, then requests to convene a members' meeting, the chairman of the board of directors shall convene it.</p> <p>If the board of directors fails to convene a members' meeting within one month after the filing of the request under the preceding paragraph, the proposing members may, after obtaining an approval from the court, convene a members' meeting on their own.</p> <p>Except as otherwise formulated in the charter, a notice to convene a members' meeting shall be given to each member no later than 30 days prior to the scheduled meeting date.</p> <p>The cause(s) or subject(s) of a members' meeting to be convened shall be specified in the notice to be given to members.</p>	<p>格式化: 字型: 11 點</p> <p>格式化: 字型: 11 點</p> <p>格式化: 字型: 11 點</p> <p>格式化: 字型: 11 點</p> <p>格式化: 字型: 11 點</p> <p>格式化: 字型: 11 點</p> <p>格式化: 字型: 11 點</p> <p>格式化: 字型: 11 點</p> <p>格式化: 字型: 11 點</p>
<p>第 139 條</p> <p>地區公證人公會之主管機關為該公會所在地之社會行政主管機關。但其目的事業，應受所屬之高等法院或其分院之指導、監督。全國公證人公會聯合會之主管機關為中央社會行政主管機關。但</p>	<p>Article 139</p> <p>The competent authority of District Notary Associations shall be local social administrative agencies. Nevertheless, the related business of a District Notary Association shall be guided and supervised by the High Court or its branches where the</p>	<p>刪除: social</p>

<p>其目的事業應受司法院之指導、監督。</p>	<p>associations registered.</p> <p>The competent authority of the National Confederated Notary Association shall be the central social administrative agency. Nevertheless, the related business of the National Confederated Notary Association shall be guided and supervised by the Judicial Yuan.</p>
<p>第 140 條</p> <p>地區公證人公會舉行會議時，應陳報所在地社會行政主管機關及所屬之高等法院或其分院。</p> <p>全國公證人公會聯合會舉行會議時，應陳報中央社會行政主管機關及司法院。</p> <p>前二項會議，各該主管機關得派員列席。</p>	<p>Article 140</p> <p>Prior notice of District Notary Associations' meetings shall be made to the competent local social administrative authorities, and to the High Court or its branches to which the District Notary Association is registered.</p> <p>Prior notice of the National Confederated Notary Association's meetings shall be made to the competent central administrative authority and to the Judicial Yuan.</p> <p>Representatives from agencies having lawful regulatory authority over District Notary Associations and the National Confederated Notary Association may be present at meetings mentioned in the prior two paragraphs.</p>
<p>第 141 條</p> <p>地區公證人公會應將下列各款事項，陳報所在地之社會行政主管機關及所屬之高等法院或其分院：</p> <p>一、會員名冊及會員之入會、退會。</p> <p>二、理事、監事選舉情形及當選人姓名。</p>	<p>Article 141</p> <p>District Notary Associations shall report the following matters to the competent local social administrative authorities and to the High Court or its branches to which the District Notary Association is registered:</p> <ol style="list-style-type: none"> <li>1. Complete membership rolls, including the admission of new members and withdrawal of members;</li> <li>2. Results of directors' and supervisors' board elections including names of all board members;</li> <li>3. Dates, places and minutes of proceedings of all official meetings, including General</li> </ol>

<p>三、會員大會，理事、監事會議開會之時間、地點及會議情形。</p> <p>四、提議、決議事項。</p> <p>前項陳報，所屬之高等法院或其分院應轉送司法院備查。</p>	<p>Meetings, Executive Board Meetings, and Supervisor Board Meetings;</p> <p>4. The contents of motions and resolutions.</p> <p>The High Court or its branches, to which the District Notary Association is registered, upon receipt of such reports, shall forward them to the Judicial Yuan for future reference.</p>
<p>第 142 條</p> <p>全國公證人公會聯合會應訂立民間之公證人規範，提經會員代表大會通過後，報請司法院備查，其修正亦同。</p>	<p>Article 142</p> <p>The National Confederated Notary Association shall promulgate Ethical Rules of Civil Notaries for approval at its General Members Meeting. Upon passage, the Ethical Rules of Civil Notaries shall be forwarded to the Judicial Yuan for future reference. The same procedure shall be followed when the National Confederated Notary Association amends the Ethical Rules of Civil Notaries.</p>
<p>第 143 條</p> <p>地區公證人公會會員大會之決議，以會員過半數之出席，出席人數過半數或較多數之同意行之。但下列事項之決議應以出席人數三分之二以上同意</p> <p>行之：</p> <p>一、章程之訂定與變更。</p>	<p>Article 143</p> <p>A resolution of the general members' meeting of a District Notary Association requires the attendance of more than one half of the members, and the consent of more than one half of the attendees. However, the following matters may be resolved only with the consent of not less than two-thirds of the attendees:</p> <ol style="list-style-type: none"> <li>1. Enactment of and amendment to the charter.</li> <li>2. Recall of a director, supervisor or a member's representative of a District Notary Association in the National Confederated Notary Association.</li> <li>3. Disposal of properties.</li> <li>4. Other important matters related to the rights and obligations of the members.</li> </ol>

<p>二、理事、監事及會員代表之罷免。</p> <p>三、財產之處分。</p> <p>四、其他與會員權利義務有關之重大事項。</p>	
<p>第 144 條</p> <p>公證人公會之行為或決議違反法令或公證人公會章程者，司法院或社會行政主管機關得分別施以下列之處分：</p> <p>一、警告。</p> <p>二、撤銷其決議。</p> <p>三、整理。</p> <p>前項第一款、第二款之處分，所在地高等法院或其分院亦得為之。</p>	<p>Article 144</p> <p>Where a Notary Association has acted or reached resolutions in violation of a statute or its charter, the Judicial Yuan or competent social administrative agencies may impose the following sanctions:</p> <ol style="list-style-type: none"> <li>1. Warning;</li> <li>2. Forcible cancellation of the resolution at issue; or</li> <li>3. Intervention.</li> </ol> <p>Sanctions of “warning” or “forcible cancellation of the resolution at issue” are also enforceable over the District Notary Associations by the High Courts or its branches where they are registered.</p>
<p>第 145 條</p> <p>地區公證人公會，應為該地區民間之公證人辦理責任保險，以確保民間之公證人因執行職務依第六十七條規定參加責任保險所不</p>	<p>Article 145</p> <p>The District Notary Associations shall obtain malpractice liability insurance coverage for their civil notary members, in order to ensure that victims can acquire compensation from the malpractice liabilities of civil notaries which are not covered by the civil</p>

<p>能理賠之損害賠償。</p> <p>前項保險契約於每一保險事故之最低保險金額，由司法院視情勢需要，以命令定之。但保險人對同一保險年度內之最高賠償金額得限制在最低保險金額之四倍以下。</p>	<p>notaries' own mandatory malpractice liability insurance. Aforementioned <u>mandatory</u> <u>malpractice</u> liability insurance is stipulated in Article 67 of this law.</p> <p>The Judicial Yuan shall issue an order to determine the individual minimum amount of insurance coverage for each insured risk of the Association's members in the insurance contract stipulated in the preceding paragraph according to the situation's needs. However, the insurer may limit the amount of total insurance compensation for the Association's members to no more than four times as much as the determined minimum coverage for the given insurance year.</p>
<p>第 146 條</p> <p>第一百三十七條、第一百三十八條、第一百四十一條第一項、第一百四十三條之規定，於全國公證人公會聯合會準用之。</p>	<p>Article 146</p> <p>Article 137, Article 138, paragraph 1 of Article 141, and Article 143 shall apply mutatis mutandis to the National Confederated Notary Association.</p>
<p>第七章 罰則</p>	<p>Chapter 7: Penal Provisions</p>
<p>第 147 條</p> <p>冒充公證人或候補公證人而執行其職務者，處三年以下有期徒刑、拘役，或科或併科新台幣三十萬元以下罰金。</p>	<p>Article 147</p> <p>Any person who falsely poses as a notary or candidate notary and exercises functions and power as such shall be sentenced to imprisonment for not more than three years, or short-term imprisonment; in lieu thereof, or in addition thereto, a fine of not more than NT\$300,000 may be imposed.</p>
<p>第 148 條</p> <p>民間之公證人或候補公證人非親自執行職務，而將事務所、章證</p>	<p>Article 148</p> <p>A civil notary or candidate notary who lends or allows the use of his/her office, certificate or badges to a person not licensed to perform their notarial affairs shall be</p>

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<p>或標識提供與無民間之公證人資格之人使用者，處二年以下有期徒刑、拘役，或科或併科新台幣十五萬元以下罰金。</p>	<p>subject to imprisonment for not more than two years, or short-term imprisonment; in lieu thereof, or in addition thereto, a fine of not more than NT\$150,000 may be imposed.</p>
<p>第 149 條</p> <p>依第一百零二條規定具結之人，就與認證之私文書內容本旨有關之重要事項，為虛偽之陳述者，處一年以下有期徒刑、拘役或科新台幣三萬元以下之罰金。</p>	<p>Article 149</p> <p>Any person who signs an affidavit according to Article 102 of this law and makes a false statement on a matter material to the content and tenor of an attested private document shall be subject to imprisonment for not more than one year , or short-term imprisonment; in lieu thereof a fine of not more than NT\$30,000 may be imposed.</p>
<p>第 八 章 附 則</p>	<p>Chapter 8: Supplementary Provisions</p>
<p>第 150 條</p> <p>駐外領務人員，得依法令授權，於駐在地辦理公證事務。</p> <p>前項人員辦理公證事務時，除不得作成第十三條之公證書外，準用本法之規定。</p> <p>第一項之授權辦法，由司法院會同行政院定之。</p>	<p>Article 150</p> <p>Overseas consular officials may handle notarial affairs in their places of posting according to authorizing laws and rules.</p> <p>When personnel referred to in the preceding paragraph handle notarial affairs, provisions of this law shall apply mutatis mutandis. Overseas consular officials may not establish notarial deeds stipulated in Article 13 of this law.</p> <p>Rules of authorization mentioned in the preceding paragraph shall be promulgated by the Judicial Yuan and the Executive Yuan.</p>
<p>第 151 條</p> <p>本法施行細則，由司法院定之。</p>	<p>Article 151</p> <p>The enforcement rules of the Law shall be promulgated by the Judicial Yuan.</p>
<p>第 152 條</p>	<p>Article 152</p>

<p>本法自公布生效後二年施行。</p> <p>本法修正條文，除中華民國九十八年十二月十五日修正之第二十六條、第三十三條、第七十九條自中華民國九十八年十一月二十三日施行外，自公布日施行。</p>	<p>This law shall take effect two years from promulgation.</p> <p>Amendments to this Law shall take effect from the date of promulgation, except that the amendments of Articles 26, 33, and 79, amended on December 15, 2009, shall take effect on November 23, 2009.</p>
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第 14 頁: [1] 刪除

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