

Chapter 7 - Notarial Certificates

An Oregon notary public is authorized **only** to take an acknowledgment, verify an oath or affirmation, witness a signature, certify to a copy, and make or note a commercial protest. Notaries should be prepared to notarize any of these acts, **except** a commercial protest. Commercial protests are highly technical and rare in nature. Because of this only qualified notaries may protest commercial paper.

Notarizing a Commercial Protest

A notary public may protest commercial paper **only** if the notary public is:

- An officer or employee of a financial institution, trust company, or investment company, or a person serving under the direct supervision of such officer or employee, **or**
- An active member of the Oregon State Bar, or an individual serving under the direct supervision of an active member of the Oregon State Bar.

A notary public may not protest any commercial paper owned or held for collection by a financial institution, trust company, or investment company if the notary is individually a party to the commercial paper.

Notaries who do not meet this requirement **cannot** notarize Commercial Protests. A notary public who violates this law will be **subject to revocation** of their notarial commission. Each notary public who protests any commercial paper shall take the actions required by ORS 73.0505

Components of a Notarial Certificate

Oregon law states certain minimum requirements for notary certificates. If necessary certificate information is left out of pre-printed certificates, (e.g., a jurat signer's name) the notary must add the appropriate information to make the certificate complete. Please note that a notarization without a certificate, in other words, using only the notary public's signature and stamp imprint, constitutes official misconduct. When in doubt, look up the proper format and complete the certificate. The notarial certificate must fit the notarial act being performed.

The following are the minimum requirements to be included in the notarial certificate:

1. Venue, which indicates the **state** and **county** where the notarization takes place. Notaries are commissioned for the whole state of Oregon and may notarize in all counties.

2. Statement of particulars, which provides the details of the notarization, such as:

- ☐ **Date** of notarization
- ☐ **Who** personally appeared
- ☐ **What** the signer did.

3. Notary stamp imprint*, which provides commission information.

4. Notary signature, which must match the signature on file with the Secretary of State.

The notary's stamp imprint and signature may be in any color of ink that is easily reproducible; black and dark blue are recommended.

All of the components of the notarial certificate must be on the same page.

*An exception is made for subdivision, condominium or partition plats. A notary stamp is not required on these documents because the Mylar they are printed on will not hold the stamp imprint using the type of ink normally associated with a notarial stamping device. ORS 194.280(8).