



THE FACULTY OFFICE



Consultation on the revisions to the
Notaries Accounts Rules

The Faculty Office of the Archbishop of Canterbury is consulting on revisions to the Notaries (Accounts) Rules.

Background

The rules which apply to Notaries' accounts date from 1989. There are currently three separate sets of rules:

- The Notaries Accounts Rules 1989 (as amended by Order dated 21 February 2012)
- The Notaries Accounts (Deposit Interest) Rules 1989
- The Notaries Trust Account Rules 1989

The main accounts rules were amended in 2012 to require any notary who holds client monies to provide an annual Accountants Report.

The proposal is to combine all three sets of rules into a single set of Notaries Accounts Rules for ease of reference, to update into gender neutral language and ensure that the rules remain fit for purpose after an extended period of not being reviewed. No substantive changes have been made to the rules as part of the consolidation process but we are open to suggestions.

Additionally, the rules cross-refer to one another, so that if one is amended there are consequential amendments required for the others. By consolidating the three rules into a single set of rules, this reduces the administrative burden imposed in updating the rules.

We also hope that by consolidating the rules into a single set it will make it easier for notaries to understand their obligations and maintain their professional knowledge.

Summary of proposed changes

Below, we provide a summary of changes:

- Stylistic changes
 - under the old rules numbering may be described as, for example, paragraph (b) of Rule 5. Under the new rules this would be described as being rule 5.2. There are no technical changes in this variance, but it is intended to make the rules read better. It also makes it slightly easier to refer to sections of the rules.
 - The new rules also incorporate the use of sub-headings to make the rules easier to read and navigate.

- References to “he” are removed throughout the new consolidated rules to be references to “they” so as to make the rules gender neutral. This is in line with our policy for documents to be in gender neutral language.
- We have inserted several new sub-headings which do not alter the content of the rules but allow for better navigation of the rules.

Consultation questions

For the reasons outlined above (ease of amendment and simplicity for training purposes) we consider the consolidation of the three sets of rules to be advantageous. However, there may be practical considerations as to why notaries feel that the rules should remain separate.

1. Is it helpful for the three rules to be consolidated into a single set of rules?
 - a. If not, please explain why the current approach is preferable.

The world of banking has changed vastly since the original development of the underlying rules. We have not proposed any significant textual amendments. However, we are keen to hear from notaries whether they feel that some of the references within the rules are so out-dated that they are now obsolete to notarial practice.

2. Are references to “cheques” within the rules still appropriate?
 - a. Do you still make use of cheques as part of your notarial business?
 - b. If you use cheque as part of your business approximately how frequently are they used?
3. The rules make reference to “banks and building societies”. Are there any other types of financial institutions used which should be included, such as money services businesses?
4. Do the references to “bank and building society pass books” within the rules remain an appropriate inclusion in light of modern banking practices?

We recognise that having choice in appointing a suitably qualified person to be the Reporting Accountant is advantageous. Conversely it is important that such person have the requisite skill set to be able to complete the Accountants Report (where client monies are held).

5. Should Reporting Accountants include those who are members only of the Association of Chartered Certified Accountants, the Institute of Chartered Accountants in England and Wales or the Chartered Institute of Public Finance and Accountancy? If the pool of membership should be wider from what other professional bodies could a suitable reporting accountant be a member?
6. Does the power of the Master at Rule 23.4 (to require payment for the accountant’s inspection) remain appropriate? Given that at the stage the

inspection is to be paid for there is no definitive case that a breach has occurred.

The purpose of these amendments is a light touch review. However, there may be additional amendments that you consider necessary which we have not addressed above (either in the proposed changes or above questions). If you think that the rules would benefit from any additional changes, please detail them below.

7. With regards to Rule 5 (splitting of cheques and drafts) should this also include electronic payments.
8. With regards to the definition of “client money” not including “money held or received on account of the trustees of a trust of which the notary is a notary-trustee” does it remain appropriate that this is not included within the definition of client money?
9. Are there any other amendments required to ensure that the accounts rules remain fit for purpose?

HOW TO RESPOND

Please respond in writing by 5pm on **Friday 14th November 2025** to The Faculty Office:

By email to:

consultations@1thesanctuary.com

Please put “ACCOUNTS RULES CONUSLTATION” in the subject line of your email

Or by post to:

The Faculty Office, 1 The Sanctuary, Westminster, SW1P 3JT

FACULTY OFFICE

9 SEPTEMBER 2025

Equality Impact Assessment

1. Project Details	
Name of the policy, practice, service or function being assessed, and a brief overview of its aims and objectives	Consultation on proposed amendments to accounts rules
Is it new or existing?	New consultation. Three sets of rules are presently existing.
Sub-department or committee/working group applicable?	Management committee.
Who has been involved in completing the EIA	Management committee.
Date of completion	1 September 2025

2. Evidence Gathering and Engagement
<p>a. What evidence has been used for this assessment?</p> <p>Evidence is based on internal review of the potential effects of the rules change. This information will latterly be informed by the consultation responses.</p> <p>Given the minor level of proposed changes (which are largely to see consolidation and modernisation) it is not perceived that a more in-depth analysis is justified by this policy.</p>
<p>b. Who have you engaged and consulted with as part of your assessment?</p> <p>This EDIA accompanies the consultation by the Faculty Office on the proposed changes to the accounts rules. These changes</p>

3. Impact on different groups of FO staff, notaries (including potential future notaries) and consumers	
Specific groups to consider	Potential impact on this group of staff, notaries (including potential future notaries) and consumers and actions taken to mitigate impact and advance equality, diversity and inclusion
General considerations:	
Age Of both notaries, potential future notaries and consumers.	We recognise that the existing rules are quite old and outmoded in their terminology and we are therefore consulting on some elements such as whether cheques still need to be referred to within the rules. It is important that any changes made do not adversely affect an age profile of notaries, even if that group is a minority.
Disability Disabled notaries, potential future notaries and consumers, including those with mental health issues.	The current system of having three sets of rules is unwieldy and may represent accessibility challenges for those with specific learning disabilities such as dyslexia or those who are visually impaired and make use of reading assistive technologies. A single set of rules will be more accessible in terms of maintaining relevant CPD which may be particularly challenging for those who have to take periods of time off work due to their disabilities.
Gender reassignment Trans notaries and consumers, and non-binary notaries and consumers	The new rules will include gender-neutral language which is more inclusive to a gender diverse profession. The current rules (which we are consulting to change) make use of only male pronouns.
Marriage and civil partnership A person has the protected characteristic of marriage and civil partnership if the person is married or is a civil partner.	No identified impact.
Pregnancy and maternity	A single set of rules will be more accessible in terms of maintaining relevant CPD which may be particularly challenging for those who have to take periods of time off work due to their pregnancy/maternity.
Race Notaries and consumers from minority ethnic backgrounds	No identified impact

Religion or belief Notaries and consumers with different religions and/or beliefs	No identified impact
Sex Both men and women	The new rules will include gender-neutral language which is more inclusive to a gender diverse profession. The current rules (which we are consulting to change) make use of only male pronouns.
Sexual orientation LGBTQ+	No identified impact
People with caring responsibilities	A single set of rules will be more accessible in terms of maintaining relevant CPD which may be particularly challenging for those who have to take periods of time off work due to their caring responsibilities.

4. Action Planning		
Issue Identified	Planned Action	Lead and Timeframe
Identify any EDI implications of consultation responses	Re-do EDIA form upon receipt of consultation responses.	Consultation scheduled to complete on 14 th November 2025

5. Monitoring and Review
How will you monitor the impact of your project once it has been put into effect?
We will consider any responses to the consultation in light of EDI implications and reflect upon those responses when formulating the final rules.
At which committee(s) have these EDI considerations been discussed (if applicable):

Sign off from Registrar/deputy registrar: H J Dellar, Registrar

Review Date: end November 2025 (once consultation concludes and responses considered)

