



Republic of the Philippines
Supreme Court
Manila

EN BANC

A.M. NO. 20-07-04-SC


**2020 INTERIM RULES ON REMOTE
NOTARIZATION OF PAPER DOCUMENTS**

RESOLUTION

Acting on the letter dated July 6, 2020 and on the proposed 2020 Interim Rules on Remote Notarization of Paper Documents submitted by the Subcommittee on the Revision of the Rules Governing Notaries Public, the Court resolves to **APPROVE** the *2020 Interim Rules on Remote Notarization of Paper Documents*.

These Rules shall take effect (15) days after their complete publication in the Official Gazette or in at least two (2) newspapers of national circulation in the Philippines and shall remain effective until the Court directs otherwise.

July 14, 2020.



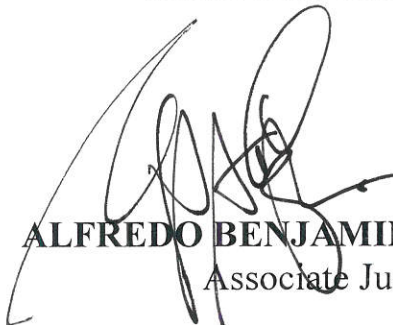
DIOSDADO M. PERALTA
Chief Justice




ESTELA M. PERLAS-BERNABE
Senior Associate Justice



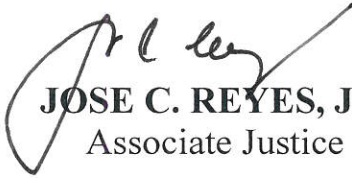
MARVIC M. V. F. LEONEN
Associate Justice




ALFREDO BENJAMIN S. CAGUIOA
Associate Justice



ALEXANDER G. GESMUNDO
Associate Justice



JOSE C. REYES, JR.
Associate Justice



RAMON PAUL L. HERNANDO
Associate Justice



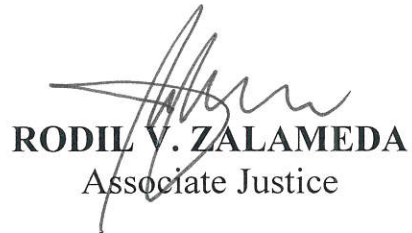
ROSMARID D. CARANDANG
Associate Justice



AMY C. LAZARO-JAVIER
Associate Justice



HENRI JEAN PAUL B. INTING
Associate Justice



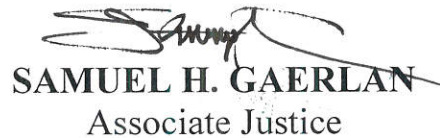
RODIL V. ZALAMEDA
Associate Justice



MARION LOPEZ
Associate Justice



EDGARDO L. DELOS SANTOS
Associate Justice



SAMUEL H. GAERLAN
Associate Justice



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**2020 INTERIM RULES ON REMOTE
NOTARIZATION OF PAPER DOCUMENTS**

**RULE I
GENERAL PROVISIONS**

SECTION 1. Title. — These rules shall be known as the 2020 Rules on Remote Notarization of Paper Documents and may be referred to as the “RON Rules” (the “Rules”).

SECTION 2. Scope. — These Rules shall be limited to the notarization of paper documents and instruments with handwritten signatures or marks through the use of videoconferencing facilities as defined herein.

These Rules shall not apply to the execution of notarial wills.

SECTION 3. Localities Where the Rules Apply. — Until the Supreme Court directs otherwise, these Rules shall apply to permit the performance of notarial acts through the use of videoconferencing facilities in cases where the notary public or at least one of the principals resides, holds office, or is otherwise situated in a locality that is under community quarantine due to COVID-19, as directed by the Inter-Agency Task Force for the Management of Emerging and Infectious Diseases (IATF), the provincial governors with regard to component cities and municipalities, or mayors of cities and municipalities with regard to barangays, both governors and mayors having the concurrence of the relevant regional counterpart body of the IATF.

SECTION 4. Notarial Commission. — A notary public with a valid and existing notarial commission issued under the 2004 Rules on Notarial Practice can perform the notarial acts authorized by these Rules.

SECTION 5. Legal Effect and Enforceability. — Any notarial act performed through the use of videoconferencing facilities pursuant to these Rules shall have the same validity, force, effect and may be relied upon to the same extent as any other notarial act performed under the 2004 Rules on Notarial Practice.

SECTION 6. Definition of Terms. — The definition of terms in the 2004 Rules on Notarial Practice are hereby adopted as part of these Rules. In addition, the following definitions are hereby adopted:

- a) 2004 Rules on Notarial Practice — refer to the 2004 Rules on Notarial Practice, hereinafter referred to as the “2004 Notarial Rules”;
- b) Competent Evidence of Identity — refers to the identification of an individual based on:
 - i. at least one current identification document (ID) issued by an official government agency bearing the photograph and signature of the individual, such as the following: passport, driver's license, Professional Regulations Commission (PRC) ID, Integrated Bar of the Philippines (IBP) ID, National Bureau of Investigation (NBI) clearance, police clearance, postal ID, voter's ID, Government Service and Insurance System (GSIS) e-card, Social Security System (SSS) card, PhilHealth card, senior citizen card, Overseas Workers Welfare Administration (OWWA) ID, Overseas Filipino Worker (OFW) ID, seaman's book, alien certificate of registration/immigrant certificate of registration, government office ID, certification from the National Council for the Welfare of Disabled Persons (NCWDP), Department of Social Welfare and Development (DSWD) certification, Tax Identification Number (TIN) ID, and Unified Multi-Purpose ID (UMID) Card; or
 - ii. the oath or affirmation of one (1) credible witness not privy to the instrument, document, or transaction who is personally known to the notary public and who personally knows the individual, or of two (2) credible witnesses not privy to the instrument, document, or transaction who personally know the individual being identified, and who show to the notary public any of the IDs enumerated in the immediately preceding paragraph.
- c) Courier Service — refers to on-demand express delivery services (such as, but not limited to, Lalamove, GrabExpress, and Transportify), as well as door-to-door express delivery services (such as, but not limited to, LBC, JRS, DHL Express, FedEx, and 2go) including those services offered by private express and/or messengerial delivery service (PEMEDES) or courier service providers authorized by the Department of Information and Communications Technology (DICT), *provided* they are equipped with shipment tracking facilities which enable users to track the movement of shipments in real time.
- d) Geolocation — refers to the geographical location of a computer, networking device, or equipment determined on the basis of geographical coordinates and measurements.
- e) Locality — refers to a barangay, municipality, city, province, or country.

- f) “Personal appearance,” “appears in person,” or “in the presence of the notary public” means that the principal, witnesses, and the notary public can see, hear, and communicate with each other, and present and confirm competent evidence of identity to each other in real time through the use of videoconferencing facilities and other devices or technologies that achieve the same purposes.
- g) Principal — refers to the person appearing before the notary public whose act is the subject of notarization under these Rules including the person requesting copy certification by videoconference.
- h) Quarantine — refers to the restriction of movement of persons within, into, and out of a locality under quarantine designed to reduce the likelihood of transmission of COVID-19 among persons in and to persons outside the affected area as declared by the IATF, the provincial governors with regard component cities and municipalities, or mayors of cities and municipalities with regard to barangays, both governors and mayors having the concurrence of the relevant regional counterpart body of the IATF. The term “Quarantine” may refer to General Community Quarantine (GCQ), Modified General Community Quarantine (MGCQ), Enhanced Community Quarantine (ECQ), and Modified Enhanced Community Quarantine (MECQ) as defined by the proper authorities referred to herein.
- i) Videoconferencing facilities — refers to any tool, device, system, application, and technology that has sufficient interactive audio-video capabilities that allow all the parties physically located in different locations to see, hear and communicate with, and present and confirm competent evidence of identity to each other in real time. These facilities include Webex, Zoom, Google Meet, Microsoft Teams, and other similar web conferencing platforms.

SECTION 7. Supplementary Application of the 2004 Notarial Rules. — In the absence of any applicable provision in these Rules, the pertinent provisions of the 2004 Notarial Rules may be applied by analogy or in a supplementary manner.

RULE II ACKNOWLEDGMENT

SECTION 1. Acknowledgment by Videoconference. — Where an instrument or document is acknowledged before the notary public through the use of videoconferencing facilities, the following procedure shall be observed:

- a) The principal shall cause the delivery of the instrument or document requiring acknowledgment to the notary public by personal or courier service. The instrument or document must be integrally complete, bear the handwritten signature of the principal, and be placed in an envelope sealed with the initials of the principal. In cases where the principal chooses to cause the delivery of the sealed envelope through courier service, he or she shall be required to

furnish the notary public with the details necessary to track its delivery once these details become available.

- b) If the principal is not personally known to the notary public, he or she shall be required to provide the notary public, by personal or courier service, two (2) copies of any competent evidence of identity as defined herein. If the principal is signing in a particular representative capacity, he or she shall be required to deliver to the notary public, by personal or courier service, two (2) certified copies of the document granting his or her authority to sign in such capacity as well as two (2) copies of any competent evidence of identity of the party granting such authority. If the party granting the principal's authority to sign is a corporation, the principal shall also provide two (2) copies of any competent evidence of identity of the corporate secretary certifying the principal's authority or two (2) duplicate originals or certified copies of the Board Resolution granting the principal's authority. The principal shall be required to exhibit to the notary public the original evidence of his or her identity and the original document granting his or her authority to sign during the videoconference for examination and comparison with the copies so provided. Whenever applicable, the copies of the competent evidence of identity required herein and/or the copies of the document granting the principal's authority to sign shall be placed together with the instrument or document in the sealed envelope referred to in paragraph (a) above.
- c) The principal shall also submit to the notary public a video clip showing that he or she actually signed the instrument or document delivered for acknowledgment. The principal may choose to submit this video clip to the notary public by storing it in a compact disc (CD) or Universal Serial Bus (USB) which shall be placed in the sealed envelope referred to in paragraph (a) above, or by sending the video clip by e-mail or any other means of digital communication.
- d) Upon receipt of the sealed envelope referred to in paragraph (a) above and video clip referred to in paragraph (c) above, the notary public shall schedule a videoconference with the principal during which the notary public shall:
 - i. require the principal to confirm his or her identity;
 - ii. require the principal to confirm his or her location to the satisfaction of the notary public by showing his or her geolocation through an application with global positioning satellite (GPS) capabilities or by showing the notary public identifiable landmarks or buildings within the vicinity;
 - iii. open the sealed envelope wherein the instrument or document is placed within full view of the principal and require him or her to confirm that the instrument or document exhibited to him or her is the very same instrument or document which he or she caused to be delivered to the notary public for acknowledgment;

- iv. ensure that the instrument or document is kept within the full view of the principal at all times during the videoconference;
 - v. require the principal to affix his or her handwritten signature on a blank piece of paper within full view of the notary public for comparison with the signature appearing on the instrument or document;
 - vi. require the principal to confirm that the signature appearing at the end of the instrument or document belongs to him or her and that it was voluntarily affixed for the purposes stated therein;
 - vii. review the video clip submitted by the principal to verify that he or she actually signed the instrument or document as represented; and
 - viii. require the principal to declare that he or she has executed the instrument or document as his or her free and voluntary act and deed, and if acting in a particular representative capacity, that he or she has authority to sign in that capacity. The notary public shall assess the principal's voluntariness by examining his or her demeanor and immediate surroundings and by asking searching questions. Should there be other persons present in the videoconference, the notary public shall require such persons to identify themselves and state the reasons why they are in the immediate vicinity of the principal and if not satisfied with the reasons given, require them to leave the immediate vicinity of the principal for the duration of the videoconference.
- e) Should there be more than one principal, each shall be present either singly or in group/s during the videoconference and be required to comply and/or confirm compliance with the requirements and procedure set forth in paragraphs (a), (b), (c), and (d) above.
- f) After the matters set forth above are accomplished, the notary public shall complete the Notarial Certificate attached to the instrument or document or appearing below the signature portion thereof, affix his or her signature thereon by hand, and set his or her Official Seal. The Notarial Certificate shall state that the notarial act was done through the use of videoconferencing facilities in accordance with these Rules.

RULE III **AFFIRMATION, OATH, or JURAT**

SECTION 1. Affirmation or Oath by Videoconference. — Where an instrument or document requiring affirmation or oath is presented to the notary public through the use of videoconferencing facilities, the following procedure shall be observed:

- a) The principal shall cause the delivery of the instrument or document to the notary public through personal or courier service. The instrument or document shall be placed in an envelope which shall be sealed with the initials of the principal. In cases where the principal chooses to cause the delivery of the

sealed envelope through courier service, he or she shall be required to furnish the notary public with the details necessary to track its delivery once these details become available.

- b) If the principal is not personally known to the notary public, he or she shall also be required to provide the notary public by personal or courier service, two (2) copies of any competent evidence of identity as defined herein, which shall be placed together with the instrument or document in the sealed envelope referred to in paragraph (a) above. The principal shall be required to exhibit the original evidence of identity to the notary public during the videoconference for examination and comparison with the copies so provided.
- c) The principal shall also submit to the notary public a video clip showing that he or she actually signed the instrument or document delivered for affirmation or oath. The principal may choose to submit this video clip to the notary public by storing it in a CD or USB which shall be placed in the sealed envelope referred to in paragraph (a) above, or by sending the video clip by e-mail or any other means of digital communication.
- d) Upon receipt of the sealed envelope referred to in paragraph (a) above and the video clip referred to in paragraph (c) above, the notary public shall schedule a videoconference with the principal during which the notary public shall:
 - i. require the principal to confirm his or her identity;
 - ii. require the principal to confirm his or her location to the satisfaction of the notary public by showing his or her geolocation through an application with GPS capabilities or by showing the notary public identifiable landmarks or buildings within the vicinity;
 - iii. open the sealed envelope wherein the instrument or document is placed within full view of the principal and require him or her to confirm that the instrument or document exhibited to him or her is the same instrument or document which he or she caused to be delivered to the notary public for affirmation or oath;
 - iv. ensure that the instrument or document is kept within the full view of the principal at all times during the videoconference;
 - v. require the principal to confirm that he or she has read the instrument or document in its entirety and has understood all its contents;
 - vi. require the principal to affix his or her handwritten signature on a blank piece of paper within full view of the notary public for comparison with the signature appearing on the instrument or document;
 - vii. require the principal to confirm that the signature appearing at the end of the instrument or document belongs to him or her and that it was voluntarily affixed for the purposes stated therein;

- viii. review the video clip submitted by the principal to verify that he or she actually signed the instrument or document as represented; and
 - ix. require the principal to avow to the whole truth of the contents of the instrument or document under penalty of law. The notary public shall assess the principal's voluntariness by examining his or her demeanor and immediate surroundings and by asking searching questions. Should there be other persons present in the videoconference, the notary public shall require such persons to identify themselves and state the reasons why they are in the immediate vicinity of the principal and if not satisfied with the reasons given, require them to leave the immediate vicinity of the principal for the duration of the videoconference.
- e) Should there be more than one principal, each shall be present either singly or in group/s during the videoconference and be required to comply and/or confirm compliance with the requirements and procedure set forth in paragraphs (a), (b), (c), and (d) above.
- f) After the matters set forth above are accomplished, the notary public shall complete the Notarial Certificate attached to the instrument or document or appearing below the signature portion thereof, affix his or her signature thereon by hand, and set his or her Official Seal. The Notarial Certificate shall state that the notarial act was done through the use of videoconferencing facilities in accordance with these Rules.

SECTION 2. Jurat by Videoconference. — Jurat may be also accomplished in the same manner provided in Section 1, Rule III of these Rules.

RULE IV WITNESSES TO DOCUMENTS

SECTION 1. Witnesses to Documents. — If the instrument or document subject of the notarial act in Rules II and III bears the signatures of parties who acted as witnesses to the execution thereof, the principal shall provide by personal or courier service two (2) copies of any competent evidence of identity, as defined herein, of the witnesses not personally known to the notary public. The copies of the witnesses' competent evidence of identity shall also be placed in the sealed envelope wherein the instrument or document is placed. In cases where the principal chooses to cause the delivery of the sealed envelope through courier service, he or she shall be required to furnish the notary public with the details necessary to track its delivery once these details become available.

SECTION 2. Presence of Witnesses. — The witnesses shall be present during the videoconference to be conducted by the notary public pursuant to Rules II and III. During the videoconference, in addition to the matters set forth in Rule II (in case of acknowledgment) or Rule III (in case of affirmation, oath, or jurat), the notary public shall:

- a) require the witnesses to confirm their respective identities by exhibiting to the notary public the originals of their competent evidence of identity;
- b) require the witnesses to confirm their respective locations to the satisfaction of the notary public by showing their geolocation through an application with GPS capabilities or by showing the notary public identifiable landmarks or buildings within their respective vicinities;
- c) determine whether the witnesses are in fact disinterested and unaffected parties to the instrument or document by asking searching questions;
- d) require each witness to confirm that every signature in the instrument or document purporting to be that of the said witness belongs to him or her and that it was voluntarily affixed thereon;
- e) require each witness to declare that he or she personally witnessed the principal signing the instrument or document or affixing his or her thumbmark or other mark thereon freely and voluntarily; and
- f) review the video clip submitted by the principal to verify that the witnesses actually saw the principal sign or affix his or her thumbmark or other mark on the instrument or document as represented.

RULE V
THUMBMARK OR OTHER MARKS
IN LIEU OF HANDWRITTEN SIGNATURE

SECTION 1. Thumbmark or Other Mark. — Where the principal in notarial acts performed under these Rules affixes his or her thumbmark or other mark in lieu of his handwritten signature, the principal shall be required to affix such mark in the physical presence of two (2) unaffected and disinterested witnesses who shall sign their own names in addition to the principal's thumbmark or other mark.

Thereafter, the principal shall cause the delivery of the instrument or document to the notary public by personal or courier service. The instrument or document shall be placed in a sealed envelope, together with the copies of the competent evidence of identity required in Rule II (in case of acknowledgment) or Rule III (in case of affirmation, oath, or jurat), or Rule IV (in cases where the signatures of witnesses appear in the instrument or document). In cases where the principal chooses to cause the delivery of the sealed envelope through courier service, he or she shall be required to furnish the notary public with the details necessary to track its delivery once these details become available.

SECTION 2. Procedure. — Upon receipt of the instrument or document, the notary public shall schedule a videoconference with the principal and the two (2) unaffected and disinterested witnesses. During the videoconference, in addition to the matters set forth in Rule II (in case of acknowledgment) or Rule III (in case of affirmation, oath, or jurat), the notary public shall:

- a) require the principal to confirm that he or she affixed his or her thumbmark or other mark on the instrument or document in lieu of a signature;
- b) require the principal to affix his or her thumbmark or other mark on a piece of paper within full view of the notary public for comparison with the thumbmark or other mark appearing on the instrument or document;
- c) require the principal to confirm that he or she has read the instrument or document if able to do so, or that the instrument or document has been read to him or her in its entirety, and that he or she has understood its contents by asking searching questions regarding the instrument or document. Should there be other persons present in the videoconference, the notary public shall require such persons to identify themselves and state the reasons why they are in the immediate vicinity of the principal and if not satisfied with the reasons given, require them to leave the immediate vicinity of the principal for the duration of the videoconference;
- d) require the witnesses to confirm their respective identities by exhibiting to the notary public the originals of their competent evidence of identity;
- e) require the witnesses to confirm their respective locations to the satisfaction of the notary public by showing their geolocation through an application with GPS capabilities or by showing the notary public identifiable landmarks or buildings within their respective vicinities;
- f) determine whether the witnesses are in fact unaffected and disinterested parties to the instrument or document by asking searching questions;
- g) require each witness to confirm that every signature in the instrument or document purporting to be that of said witness belongs to him or her and that it was voluntarily affixed thereon;
- h) require each witness to confirm that he or she personally witnessed the principal affixing their thumbmark or other mark thereon freely and voluntarily; and
- i) review the video clip submitted by the principal to verify that the witnesses actually saw the principal affix his thumbmark or other mark on the instrument or document as represented.

After the matters set forth above are accomplished, the notary public shall be required to notarize the instrument or document bearing the thumbmark or other mark of the principal by acknowledgment or jurat through the use of videoconferencing facilities in accordance with these Rules. The notary public shall complete the Notarial Certificate attached to the instrument or document or appearing below the signature portion thereof, affix his or her signature thereon by hand, and set his or her Official Seal. The Notarial Certificate shall state that the notarial act was done through the use of videoconferencing facilities in accordance with these Rules.

SECTION 3. Notary Public Requested to Sign. — Where the principal in notarial acts performed under Rules II and III is unable to affix his or her handwritten signature, thumbmark, or other mark on the instrument or document subject of the notarial act and requests the notary public to sign on his or her behalf, the principal shall place the instrument or document in a sealed envelope together with the copies of the competent evidence of identity required in Rule II (in case of acknowledgment) or Rule III (in case of affirmation, oath, or jurat), and two (2) copies of any competent evidence of identity, as defined herein, of the witnesses chosen by the principal. Thereafter, the principal shall cause the delivery of said envelope to the notary public by personal or courier service. In cases where the principal chooses to cause the delivery of the sealed envelope through courier service, he or she shall be required to furnish the notary public with the details necessary to track its delivery once these details become available.

Upon receipt of the instrument or document, the notary public shall schedule a videoconference with the principal and two (2) unaffected and disinterested witnesses chosen by the latter. During the videoconference, in addition to the matters set forth in Rule II (in case of acknowledgment) or Rule III (in case of affirmation, oath, or jurat), the notary public shall:

- a) confirm the principal's inability to sign or affix his or her thumbmark on the instrument or document and the latter's request to have the notary public sign the instrument or document on his or her behalf;
- b) require the principal to confirm that he or she has read the instrument or document if able to do so, or that the instrument or document has been read to him or her in its entirety, and that he or she has understood its contents by asking searching questions regarding the instrument or document. Should there be other persons present in the videoconference, the notary public shall require such persons to identify themselves and state the reasons why they are in the immediate vicinity of the principal and if not satisfied with the reasons given, require them to leave the immediate vicinity of the principal for the duration of the videoconference;
- c) sign the instrument or document within full view of the principal and the two (2) unaffected and disinterested witnesses who shall also be within full view of the principal;
- d) require the witnesses to confirm their respective identities by exhibiting to the notary public the originals of their competent evidence of identity;
- e) require the witnesses to confirm their respective locations to the satisfaction of the notary public by showing their geolocation through an application with GPS capabilities or by showing the notary public identifiable landmarks or buildings within their respective vicinities;
- f) determine whether the witnesses are in fact unaffected and disinterested parties to the instrument or document by asking searching questions;

- g) require each witness to declare that he or she personally witnessed the notary public affixing his or her signature on the instrument or document on behalf of the principal; and
- h) indicate below the notary public's signature, the following statement: "Signature affixed by notary in the presence of (names and addresses of the principal and two [2] witnesses)."

After the matters set forth above are accomplished, the notary public shall be required to notarize the instrument or document bearing the notary public's signature by acknowledgment or jurat through the use of videoconferencing facilities in accordance with these Rules. The notary public shall complete the Notarial Certificate attached to the instrument or document or appearing below the signature portion thereof, affix his or her signature thereon by hand, and set his or her Official Seal. The Notarial Certificate shall state that the notarial act was done through the use of videoconferencing facilities in accordance with these Rules.

RULE VI COPY CERTIFICATION

SECTION 1. Copy Certification by Videoconference of Instruments or Documents Delivered by Personal or Courier Service. — Where a person requests a notary public to certify a copy of an instrument or document through the use of videoconferencing facilities and said instrument or document is delivered to the notary public by personal or courier service, the following procedure shall be observed:

- a) The principal shall cause the delivery of the instrument or document for copy certification to the notary public by personal or courier service. The instrument or document shall be placed in an envelope which shall be sealed with the initials of the principal. In cases where the principal chooses to cause the delivery of the sealed envelope through courier service, he or she shall be required to furnish the notary public with the details necessary to track its delivery once these details become available.
- b) Upon receipt of the instrument or document for copy certification, the notary public shall:
 - i. determine that the instrument or document to be copied is not a vital record, a public record, or publicly recordable. If it is, the notary public shall immediately notify the principal that the instrument or document cannot be copy-certified, and request him or her to cause its retrieval at his or her expense;
 - ii. if the instrument or document can be copy-certified, schedule a videoconference with the principal wherein the notary public shall require him or her to confirm that the instrument or document exhibited by the notary public is the same instrument or document

which he or she caused to be delivered to the notary public for copy certification;

- iii. proceed to make a copy or copies, as required by the principal or supervise the copying of the instrument or document; and
 - iv. compare the instrument or document with the copy or copies made and ensure that it is or they are accurate and complete.
- c) After the matters set forth above are accomplished, the notary public shall complete the Notarial Certificate attached to the instrument or document or printed at the bottom portion of the copy or copies, affix his or her signature thereon by hand, and set his or her Official Seal. The Notarial Certificate shall state that the notarial act was done through the use of videoconferencing facilities in accordance with these Rules.

SECTION 2. Copy Certification by Videoconference of Instruments or Documents Sent by E-Mail. — Where a person requests a notary public to certify a copy of an instrument or document through the use of videoconferencing facilities, and said instrument or document is sent by e-mail, the following procedure shall be observed:

- a) The principal shall take a photograph or scan the instrument or document for copy certification, and subsequently send such photograph or scanned copy to the notary public by e-mail.
- b) Upon receipt of the e-mail referred to in paragraph (a) above, the notary public shall:
 - i. determine that the instrument or document to be copied is not a vital record, a public record, or publicly recordable. If it is, the notary public shall immediately notify the principal that the instrument or document cannot be copy-certified;
 - ii. if the instrument or document can be copy-certified, print out the instrument or document and schedule a videoconference with the principal wherein the notary public shall exhibit the print out to the principal and require him or her to confirm that the instrument or document so exhibited is the same instrument or document sent to the notary public for copy certification;
 - iii. proceed to make such number of copies of the instrument or document as required by the principal, or supervise the copying of the instrument or document; and
 - iv. compare the instrument or document sent by the principal with the copy or copies made and ensure that it is, or they are accurate and complete.

- c) After the matters set forth above are accomplished, the notary public shall complete the Notarial Certificate attached to the instrument or document or printed at the bottom portion of the copy or copies, affix his or her signature thereon by hand, and set his or her Official Seal. The Notarial Certificate shall state that the notarial act was done through the use of videoconferencing facilities in accordance with these Rules.

RULE VII FEES FOR REMOTE NOTARIZATION

SECTION 1. Imposition and Waiver of Fees. — For performing a notarial act under these Rules, a notary public may charge the maximum fee prescribed by the Supreme Court unless he or she waives the fee in whole or in part. The fee charged by the notary public may be paid by the principal through electronic remittance or bank transfer or any other means agreed upon by the parties.

SECTION 2. Delivery. — The principal shall shoulder all expenses in connection with the remote notarization, including expenses for the reproduction of the instrument or document and delivery thereof either by personal or courier service as required in these Rules. After any notarial act under these Rules shall have been performed and the corresponding notarial and courier service fees and expenses paid, the principal shall cause the retrieval of the notarized documents from the notary public either personally or by courier service.

RULE VIII MISCELLANEOUS MATTERS

SECTION 1. Place of Remote Notarization. — All notarial acts under these Rules shall be performed by the notary public within the territorial jurisdiction of the court which issued the notary public's commission. The notary public, as well as the principals and the witnesses, if any, must be located within the territorial jurisdiction of the notary public's commission during the videoconference required in Rules II (in case of acknowledgment), III (in case of affirmation, oath, or jurat), IV (in cases where the signatures of witnesses appear in the instrument or document), and V (in cases where a thumbmark or other mark is affixed in lieu of a signature or when the notary public signs on behalf of the principal) of these Rules.

During the videoconference required in Rule VI (in case of copy certification), the presence of the notary within the territorial jurisdiction of the court which issued his or her notarial commission shall suffice for purposes of compliance with this Section.

SECTION 2. Photographs or Screenshots of the Videoconference. — The notary public shall take a photograph or a screenshot of the videoconference clearly showing all parties who participated in the notarial act. In said photograph or screenshot, the notary public must be seen holding the instrument or document to make the first page of the notarized document visible and identifiable as such. The photograph or screenshot must bear a time and date stamp which accurately reflects the time and date when the videoconference was conducted. A physical copy of this

photograph or screenshot must be produced and attached to the notarial register in the manner set forth under Section 4, Rule VIII of these Rules. The photograph or screenshot shall serve as proof of the personal appearance of the principal/s and/or witnesses before the notary public and shall likewise substitute their signatures in the Notarial Register.

SECTION 3. Notarial Register. — In addition to the entries required by the 2004 Notarial Rules, the Notarial Register must include an entry indicating that the notarial act was performed through videoconference as required by these Rules and specifying the particular videoconferencing facility used by the parties therein.

SECTION 4. Entry of Notarial Act. — The notary shall retain two (2) copies of the instrument or document on which he or she performed a notarial act pursuant to these Rules. The notary public shall attach to these copies the competent evidence of identity provided by the parties and the witnesses and the photographs or screenshots required under Section 2, Rule VIII of these Rules. The competent evidence of identity and photographs or screenshots shall be properly marked with the document number and page number of the relevant entry. The first set of copies shall be attached as annexes to the Notarial Register and form part of the entries corresponding to the notarial act to which they pertain. The remaining set shall be kept by the notary public for his or her records.

SECTION 5. Additional Matters in Notarial Certificate. — In addition to the matters set forth in Section 2, Rule VIII of the 2004 Notarial Rules, all Notarial Certificates pertaining to notarial acts performed under these Rules shall include a statement by the notary public that:

- a) the notarial act had been performed by videoconference in accordance with these Rules; and
- b) the notary public, the principal/s, and the witnesses, if any, were in a locality within the territorial jurisdiction of the court which issued the notary public's commission at the time the notarial act was performed pursuant to Rules II (in case of acknowledgment), III (in case of affirmation, oath, or jurat), IV (in cases where the signatures of witnesses appear in the instrument or document), and V (in cases where a thumbmark or other mark is affixed in lieu of a signature or when the notary public signs on behalf of the principal) of these Rules. When the notarial act is performed pursuant to Rule VI (in case of copy certification), a statement that the notary public was within the territorial jurisdiction of the court which issued his or her notarial commission shall suffice.

SECTION 6. Additional Grounds for Refusal to Notarize. — The notary public shall exercise reasonable effort in assessing the demeanor of the principal or witnesses, if any, with respect to notarial acts performed in accordance with these Rules. The notary public may refuse to perform the notarial act requested in the event that the principal or witnesses exhibit/s behavior that engenders reasonable doubt as to his or her or their understanding of the instrument or document or otherwise indicates a defect in his or her or their consent thereto. The notary public shall also refuse to

perform the notarial act requested if the principal or witnesses refuse/s to appear before the notary public through videoconference, as required by these Rules.

SECTION 7. Safety Guidelines. — Where any or some of the principals or witnesses physically appear/s before a notary public for a notarial act while the quarantine is in effect, the safety guidelines issued by the government must be duly observed. In such cases, the notary public shall ensure that all such measures necessary to prevent the spread of COVID-19 shall be undertaken.

SECTION 8. Registration. — The Integrated Bar of the Philippines (IBP) is directed to create and disseminate to the general public a register of notaries public in all the chapters of the IBP who shall undertake the performance of notarial acts in accordance with these Rules. This register shall indicate the names, contact numbers, e-mail addresses of the said notaries public, and the territorial jurisdiction of the court which issued their respective commissions. This register shall be published by the IBP in its website, and in any other medium it may deem appropriate.

RULE IX

REVOCATION OF COMMISSION AND DISCIPLINARY SANCTIONS

SECTION 1. Revocation and Administrative Sanctions. — The grounds for the revocation of notarial commission and the imposition of administrative sanctions set forth in Section 1, Rule XI of the 2004 Notarial Rules shall apply to all notarial acts covered by these Rules.

RULE X

EFFECTIVITY

SECTION 1. Effectivity. — These Rules shall take effect fifteen (15) days after their complete publication in the Official Gazette or in at least two (2) newspapers of national circulation in the Philippines and shall remain effective until the Court directs otherwise.

SECTION 2. Subsequent Amendments. — The Supreme Court shall amend these Rules as may be necessary to comply with the safety guidelines issued by the appropriate authorities.