

Part III

Areas of Law



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In Part I and Part II, we explored the institutional setting which defines the profession of notaries in civil law countries. Part III is dedicated to the areas of law in which notaries are active.

Chapter 13 and Chapter 14 focus on two areas of law in which registers play an important role: real estate law and company law. Chapter 15 explains in which ways and the reasons notaries are involved in succession law. Chapter 16 is dedicated to family law, that is the relationship between spouses and between parents and their children. Chapter 17 analyzes the role of notaries when it comes to powers of attorney. Finally, Chapter 18 points to the role of notaries as facilitators of international exchange and experts in conflict of laws. Indeed, in all areas in which notaries are active, notaries have to know the substantive and procedural law but also the rules which govern the applicable law in the first place.

The goal of Part III is to give an overview of possible notarial interventions in the areas mentioned and to explain why civil law countries have chosen precisely these areas of law.