Frontrunners
of Digitalization

Notaries are frontrunners of digitalization while at the same time safeguarding the highest standards of data protection and state sovereignty. Their role within the process of digitalization has three dimensions.

First, more and more notarial services are provided online (*online authentication*). It is not always recommendable, though, to replace the protected physical space of the notarial office with the virtual world because de-biasing effects will be weaker. However, if technological and procedural safeguards are respected, many transactions, especially in commercial settings, can be performed online without any issues, which further reduces transaction costs.[97] Second, notaries enable the electronic storage of documents and the electronic communication with administrative agencies in their capacity as one-stop-shops (*electronic storage and exchange*).[98] The tools notaries develop have spillover-effects on the state of digitalization of courts and administrative agencies because the electronic systems in use are part of the judiciary and need to be compatible. Third, notaries see Cryptography, Block Chain, Artificial Intelligence, and other disruptive technologies as opportunities to further improve their services and actively explore their potentials in research cooperations and pilot projects (*disruption*).[99]

Key takeaways: Notaries are frontrunners of digitalization while at the same time ensuring legal certainty, state sovereignty, and data privacy in the digital world.

Did you know?

Notaries are bound to confidentiality and data privacy rules.[94] They enjoy the same privileges as lawyers and doctors when it comes to their capacity as witness.[95] They are not allowed to hand over documents to prosecutors without the consent of their clients.[96]