

**Karpenko R. V.**

candidate of legal sciences, docent  
associate Professor at the department  
of civil law disciplines  
(*Dnipropetrovsk State University  
of Internal Affairs*)

## **NOTARY SECRETARY AS ONE OF IMPORTANT STORAGE ACTIVITIES NOTARY: CURRENT STATE AND PROBLEM ISSUES**

The notarial secret is an important component of the notary's activity, which ensures the protection of confidential information obtained by him in the process of performing his professional duties. In connection with the growth of the volume and complexity of legal relations, the requirements to ensure the confidentiality of the information that comes to the notary are becoming increasingly high. Therefore, we will consider a modern apartment and problematic questions regarding notarial secrecy.

Let's start with the Constitution of Ukraine, and the norms defined in it in relation to notarial actions. According to para. 32 of the Constitution of Ukraine, the collection, storage, use and distribution of confidential information about a person is not allowed, except in cases specified by law, and only in the interests of national security, economic well-being and human rights. Thus, according to p. 14 st. 92 Constitution of Ukraine fixed, that exclusively by laws of Ukraine defined organization and activity of notary [3].

Basic principles of notary's work enshrined in the Law of Ukraine «Pro notary» (also – Law). According to para. 3 The law defines that a notary is a natural person authorized by the state, who carries out notarial activity in the state notary office, state notary archive or independent professional notarial activity, in particular, certifies rights, as well as facts that have legal significance, and performs other notarial actions, provided by law, with the purpose of giving them legal certainty.

Article 5 of the law stipulates the notary's obligations, including the obligation to keep confidential the information obtained by him in connection with the performance of notarial acts. Even in his oath, a strong anchored para. 6 By law, a notary is sworn to keep professional secrets [4].

As for the notarial secret, the provisions about it enshrined in para. 8 of the Law, where it is defined that notarial secret is a collection of information obtained during the performance of a notarial act or the application to the notary of an interested person, including about the person, his property, personal property and non-property rights and obligations, etc.

The obligation to observe notarial secrecy also extends to persons who

became aware of the notarial acts performed in connection with the performance of their official duties or other work, to persons involved in the performance of notarial acts as witnesses, and to other persons, yakim stali poznosti obstivi scho stanovlyat subject to notarial secret [4].

It should be noted that notarial secrecy is also preserved during legal proceedings. Thus, in civil, economic, administrative, and criminal proceedings, individuals who are required by law to keep confidential the information that was entrusted to them in connection with the provision of professional legal assistance cannot be questioned, as defined in p. 2 h. 1 st. 70 Civil Procedure Code of Ukraine, p. 2 h. 1 st. 67 Gospodarskeho procesualnogo kodeku Ukrainy, p. 2 h. 1 st. 66 of the Administrative Court Code of Ukraine, p. 3 h. 2 st. 65 of the Criminal Procedure Code of Ukraine [5-7].

As you can see, the legislation of Ukraine establishes rules that regulate the preservation and transfer of confidential information, which have notarial secrecy marks. In particular, a notary must ensure the safe storage of notarial works that contain confidential information and ensure their destruction in accordance with legislation.

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