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*Le secrétaire du Gouverneur général au sous-secrétaire d'État
aux Affaires extérieures*

*Secretary to Governor General to Under-Secretary of State
for External Affairs*

Ottawa, April 15, 1943

My dear Robertson,

With reference to the appointments of Consuls General, I referred to Buckingham Palace the points mentioned in the Memorandum I left with you on March 3rd.⁴⁴ The Private Secretary to The King agrees that there was no necessity to seek The King's formal approval for this appointment.

As regards the proposed procedure for Canadian Consular appointments in general, the main point seems to Sir Alexander Hardinge to be whether the Commissions should be signed by The King or by the Governor General. The Government of the Union of South Africa (the only Dominion that has hitherto had its own Consular Officers) invariably submit such Commissions for The King's signature, the basic reason for the practice being that a Commission signed by the Governor General probably would not, in the eyes of the foreign Government concerned, command the same attention and respect as one signed by The King. On the same principle, The King's personal exequatur for a foreign Government's Consular Officer is not in general given save on a Commission signed by the Head of the foreign State in question.

If the Canadian Government should decide to follow the example of the Union Government in this matter, the always intricate problem of Seals arises. The Union Government has its own Royal Great Seal, established under its Royal Executive Functions and Seals Act, of 1934. Canada has no such Seal. But I am informed on excellent authority that the main purpose of using a seal on such documents (i.e. the authentication of the Sovereign's signature — a historical survival from the days when all documents were sealed and not signed) is in practice effected, even without a seal, by the countersignature of the responsible Minister. So perhaps the Seal problem could be solved in this case by not using one at all.

In the United Kingdom, Consular appointments are not, as a matter of general practice, submitted to The King for prior approval, and His Majesty is only made aware of them when he signs their Commissions of Appointment. Consequently there would not seem to be any constitutional necessity for the Governor General to be asked to give his prior approval, though this may be desirable on other grounds. It is, according to Sir Alexander Hardinge, certainly unnecessary for the Governor General to inform The King of such approvals.

Apart from these two points, the procedure suggested in my memorandum is acceptable to Buckingham Palace.

Would you kindly let me know if you have any comments on the above. I

⁴⁴Document 77.