

c. The Canadian Almanac and Directory gives a summary of the Canadian Succession Duty Act and of the Ontario and Quebec Succession Duty Acts. While enquirers may be shown these summaries, they should be cautioned that they are in no sense authoritative and that for precise advice they should address themselves to the federal or provincial authorities.

1.47 Consular officers should not undertake to act as special examiners for the purpose of taking evidence abroad, without seeking instructions from the Department.

Rogatory
Commissions
(Letters or
Request)

1.48 a. Consular officers are not competent under the law of Canada to solemnize marriages.

Solemnization
of Marriages

b. Consular officers may not allow the solemnization of marriages in the consular premises since solemnization on mission premises might imply assumption by the post of some responsibility for the validity of the marriage either in the law of the country abroad or in Canadian law. If in the judgement of the Head of the Post special circumstances exist warranting an exception to this rule, instructions should be sought from the Department.

c. Consular officers may at their discretion serve as witnesses to a marriage.

1.49 a. Consular officers are not competent to grant certificates to the effect that there exists no impediment relating to the capacity of a Canadian citizen or permanent resident of Canada to marry.

Certificates of
Non-Impediment
to Marriage

b. In countries where a certificate of this nature is a prerequisite to marriage, consular officers, when called upon to help a Canadian citizen or permanent resident of Canada, should seek from local authorities dispensation for him to produce such certificate on grounds of the extreme difficulty or impossibility of issuing one. If necessary, a consular officer may provide a substitute certificate that will be acceptable to the local authorities without placing himself in the position of vouching for the capacity of a person to marry.

1.50 Consular officers should not, without prior approval from the Department, issue certificates to the effect that a marriage solemnized in accordance with local laws will be recognized in Canada as a valid form of marriage. If, in order to assist a Canadian or permanent resident of Canada, a post requests the Department's agreement to issue such a certificate, complete details should be provided with respect to the local laws or regulations under which it is required.

Certificats
de Coutume -
Relating to
Marriage

See 9789-400
10616-H-1-40
Letter to
Belgrade
Nov 12
No. C-?