

ities of that state. The act (or the formal document) whereby the receiving government admits a consular officer to the performance of consular functions in its territory is termed an Exequatur. In some instances, the government of the receiving state is asked to grant provisional recognition before the Consular Commission is available and occasionally before the consular officer arrives at his post. Whether or not provisional recognition has been requested, the Consular Commission, when received, is sent to the Foreign Ministry of the receiving state with a request for an Exequatur.

c. A consular officer may enter upon his duties as soon as an Order-in-Council has been passed appointing him and provisional or other recognition has been granted by the foreign government.

d. Variations in the above procedure occur where there is no Canadian diplomatic office in the receiving country, where the appointee is not a career consul, where there is delay for some reason in the issuance of the Consular Commission, and in other cases. When an officer is to function both in a diplomatic and a consular capacity and the foreign country does not recognize concurrent diplomatic and consular appointments, the foreign government is not asked to recognize the consular appointment. The officer is issued a Consular Commission and, provided his diplomatic status has been accepted, performs consular functions in the foreign country although his consular status is not formally recognized by the country concerned.

1.05 - 1.07 - *Spare*s

Privileges
and Immunities

1.08 a. In the absence of a formal consular agreement, privileges and immunities are accorded to consular officers as a matter of international courtesy rather than of right. Generally, privileges are granted on the basis of reciprocity. For example, certain tax exemptions and customs and mailing privileges are extended to consular officers, but these vary with each country. Foreign governments may accord Canadian consular officers approximately corresponding privileges to those enjoyed by foreign consular officers in Canada. In this connection, it may not be appropriate to claim that one particular privilege should be granted by the foreign government because that privilege was granted in Canada; rather the applicable concept is that a fair aggregate balance of reciprocity should exist. The departmental document "Privileges Granted in Canada to Representatives of Other Governments" dated August 15, 1955, which has been sent to all posts, provides a frame of reference against which privileges accorded Canadian consular officers abroad may be assessed.