

LAWS RELATING TO THE TAKING OF AFFIDAVITS ABROAD

FEDERAL

1. The Canada Evidence Act R.S.C. 1927, C. 59, provides:

"PART III

The Taking of Affidavits Abroad,

47. The provisions of this Part shall extend to the following classes of persons:-

(a) Officers of any of His Majesty's diplomatic or consular services while exercising their functions in any foreign country, including ambassadors, envoys, ministers, charge d'Affaires, counsellors, secretaries, attaches, consuls general, consuls, vice-consuls, pro-consuls, consular agents, acting consuls general, acting consuls, acting vice-consuls and acting consular agents;

(b) Officers of the Canadian diplomatic, consular and representative services while exercising their functions in any foreign country, or in any part of His Majesty's dominions outside of Canada, including, in addition to the diplomatic and consular officers mentioned in paragraph (a), high commissioners, permanent delegates, acting high commissioners, acting permanent delegates, counsellors and secretaries;

(c) Canadian Government Trade Commissioners and Assistant Canadian Government Trade Commissioners while exercising their functions in any foreign country or in any part of His Majesty's dominions outside of Canada.

48. Oaths, affidavits, affirmations or declarations administered, taken or received outside of Canada by any person mentioned in section forty-seven of this Act, shall be as valid and effectual and shall be of the like force and effect to all intents and purposes as if they had been administered, taken or received in Canada by a person authorized to administer, take or receive oaths, affidavits, affirmations or declarations therein which are valid and effectual under this Act.

49. Any document that purports to have affixed, impressed, or subscribed thereon or thereto, the signature of any person authorized by this Part to administer, take or receive oaths, affidavits, affirmations or declarations, together with his seal or with the seal or stamp of his office, or the office to which he is attached, in testimony of any oath, affidavit, affirmation or declaration being administered, taken or received by him, shall be admitted in evidence, without proof of the seal or stamp or of his signature or of his official character."