

PROTECTION OF ESTATES OF DECEASED PERSONS  
AND PROPERTY LEFT TO NATIONALS

Chapter XXIII

Part I - General

Where possible  
private channels  
to be used

23.01 The general view of the Department is that estate matters, like other private civil matters, should if possible be settled without the intervention of Canadian consular officers. Private persons, and judicial authorities, should be encouraged to use ordinary channels of correspondence rather than to deal through consular officers.

When Consul may  
undertake  
responsibility

23.02 a. Consular officers should, however, render every assistance in their power for the protection of the property of deceased Canadian citizens or property due to residents of Canada, but they should not undertake the duty of administering or transmitting such property, except where the law of the country precludes any person, even if duly authorized by Power of Attorney, other than the consular officer, from dealing with such estates.

b. A consul must obtain authorization from the Department of External Affairs before undertaking the duty of administering an estate, as distinguished from merely transmitting it.

Transmission  
of Proceeds

23.03 a. In most cases a Canadian consul will not be asked to undertake the administration of an estate. This will usually be done by a representative of the heirs or by the appropriate Public Administrator in