

Conclusion

In the case of all countries other than common law countries, in which a document is to be served, the Canadian lawyer should address his request to the Department of External Affairs, Legal Advisory Division. The lawyer should include in his letter an undertaking to defray the costs of service, and any special instructions he may have. When service has been ordered by a court, a copy of such an order should accompany the document. Of course, complete information as to the name and address of the person to be served must be provided. The requirements as to the number of copies and translations vary in different countries. The Department of External Affairs has found that it is most expedient to have two sets of documents, one marked Set "A", and the other Set "B", each set having attached to it a translation into the language of the country concerned. Instructions can then be provided to Canadian missions to advise the local authority effecting service to serve Set "B" personally on the addressee, and to return Set "A" with proof of service. In cases of uncertainty regarding procedures to follow, the Department of External Affairs is prepared to make enquiries through the Canadian mission in the country concerned.