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Canada Joins the Apostille Convention: What You Need to Know

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January 16, 2024

As previously announced, Canada has signed the *Convention of 5 October 1961 Abolishing the Requirement of Legalisation for Foreign Public Documents* (the Apostille Convention). The Apostille Convention, which streamlines the process for legalizing foreign documents, came into effect in Canada on January 11, 2024.

What Does This Mean for You?

Joining the Apostille Convention means that as of January 11, 2024, Canadian citizens and businesses will have a more efficient and cost-effective way of certifying public documents for use in over 125 signatory countries. The Apostille Convention replaces the existing process of authenticating documents in accordance with the legalization requirements of each destination country with the issuance of a single standard certificate (an “apostille”).

How it Works?

The Government of Canada has designated specific “Competent Authorities” who are authorized to issue apostilles. Those wishing to obtain an apostille must attend the office of a Competent Authority and make the request. The following offices have been designated by the Government of Canada as Competent Authorities authorized to issue apostilles:

- Global Affairs Canada;
- the Ministry of Public and Business Service Delivery of Ontario, through Official Documents Services;
- the Ministry of the Attorney General of British Columbia, through the Order in Council Administration Office;
- the Ministry of Justice of Alberta, through the Deputy Provincial Secretary’s Office;
- the Ministry of Justice and Attorney General of Saskatchewan, through Authentication Services; and
- the Ministère de la Justice of Québec through Direction Générale des Registres et de la Certification.

For more information on where to send documents based on your jurisdiction, please consult the Global

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Affairs Canada website.

It is important to note that the process for obtaining an apostille must be completed by physical apostille certificate, in print form only, and cannot currently be done electronically. Global Affairs Canada expects to offer electronic apostilles, or “e-apostilles,” in the future.

What if the Document is Intended for Use in a Country That Isn't a Signatory of the Apostille Convention?

After January 11, the Government of Canada will issue apostilles for all documents, even if you intend to use them in a country that is not a signatory of the Apostille Convention. However, non-signatory countries may require that the document be authenticated by a competent authority in Canada and then legalized by the foreign representative office of the country in question. If you are seeking to legalize a document for a country that is not a signatory of the Apostille Convention, please contact that country’s consulate for more information.

Wait Times?

Global Affairs Canada has cautioned that wait times may be longer than usual as Canada transitions to the new apostille certification process. Please ensure you send documents to the correct Competent Authority to avoid longer wait times.

If you have any questions, please contact Carla Potter or Sam DiGiuseppe.

This publication is a general summary of the law. It does not replace legal advice tailored to your specific circumstances.