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ORDERS IN
COUNCIL

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TO HIS EXCELLENCY

the Right Honourable Baron Tweedsmuir of Elsfield, a Member of His Majesty's Most Honourable Privy Council, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, Knight Grand Cross of the Royal Victorian Order, Member of the Order of the Companions of Honour.



GOVERNOR GENERAL AND COMMANDER IN CHIEF
OF THE DOMINION OF CANADA

**Report, of a Committee of the Privy Council ON MATTERS
OF STATE.**

PRESENT

The RIGHT HONOURABLE

W. L. MACKENZIE KING

THE HONOURABLE

RAOUL DANDURAND

THE RIGHT HONOURABLE

E. LAPOINTE

THE HONOURABLE

W. D. EULER

J. L. RALSTON

I. A. MACKENZIE

C. G. POWER

J. L. ILSLEY

J. E. MICHAUD

N. McL. ROGERS

C. D. HOWE

J. G. GARDINER

J. A. MacKINNON

APPROVED.
23 NOVEMBER 1939

May it please Your Excellency

AT THE GOVERNMENT HOUSE AT OTTAWA
THURSDAY, the 23rd day of NOVEMBER, 1939.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL --

WHEREAS the Minister of Justice reports that the procedure relating to appeals by enemy aliens against internment, set out in paragraphs (1), (2) and (3) of Regulation 26 of the Defence of Canada Regulations, has not resulted in a prompt and just disposition of such appeals;

That in the opinion of the Minister a more speedy disposition of such appeals would result by the designation by the Minister of Justice of one or more persons for the hearing of such appeals, who would proceed to the various internment camps and dispose of same; and

That the person designated, referred to in the Regulation as a Tribunal, should be empowered to administer oaths and to receive and accept such evidence and information on oath, affidavit or otherwise as in his discretion he may deem fit and proper;

THEREFORE His Excellency the Governor General in Council, on the recommendation of the Minister of Justice and under and by virtue of the provisions of the War Measures Act, Chapter 206 of the Revised Statutes of Canada 1927, is pleased to order and doth hereby order and direct that the procedure set out in paragraphs (1), (2) and (3) of Regulation 26 of the Defence of Canada Regulations (P.C. 2483, 3rd September, 1939) shall apply only to appeals of enemy aliens, notices of which were filed with the Director of Internment Operations before the first day of November, 1939.

His Excellency in Council is further pleased, under the above cited authority, to amend the said Defence of Canada Regulations and they are hereby amended by rescinding paragraphs (1), (2) and (3) of Regulation 26 and substituting therefor the following paragraphs, which shall apply to appeals of enemy aliens filed

with/

Canada Gazette
2-12-39 P. 1753

*In Justice,
J. P. McMillan,
Minister of Justice,
Dept. of External Affairs.*

27 Nov. 1939.

PC-3812

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with the Director of Internment Operations on and after the first day of November, 1939:

26(1) Any enemy alien who has been interned under the provisions of this Part, may within thirty days from the date of such internment, appeal against such internment to the person designated by the Minister of Justice for the purpose of hearing such appeals, hereinafter referred to as "The Tribunal".

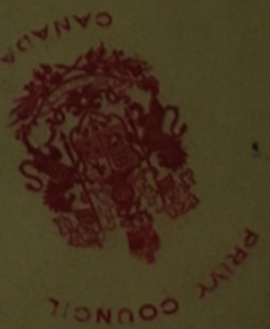
(2) A written notice of appeal, signed by the appellant, shall be delivered to and filed with the person having the custody of such appellant, who shall forthwith transmit a true copy thereof to the Registrar General of Enemy Aliens and shall notify the Tribunal thereof.

(3) The Tribunal on receipt of notice of such appeals shall give such directions as may be convenient and necessary for the prompt and just hearing and disposition thereof.

(3A) The Tribunal may administer oaths and may receive and accept such evidence and information on oath, affidavit or otherwise as in its discretion it may deem fit and proper.

W. Macdonald
Approved
W. E. D. M. M.
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GOVERNMENT
Grand Cross
Most Distingu
Majesty's Most
the Right Honou



All of which is respectfully submitted,

President.

PRIVY COUNCIL CHAMBER

Ottawa, *23rd November*, 19*39*

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