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to December 1941

to

16 December 1941



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2463 G

Vol. 1489

7 December 1941



2463

TO HIS EXCELLENCY

*Major-General the Right Honourable the Earl of Athlone, Knight of the Most Noble Order of the Garter, a Member of His Majesty's Most Honourable Privy Council, Knight Grand Cross of the Most Honourable Order of the Bath, Grand Master of the Most Distinguished Order of Saint Michael and Saint George, Knight Grand Cross of the Royal Victorian Order, Companion of the Distinguished Service Order, one of His Majesty's Personal Aides-de-Camp.*



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

T. A. CRERAR

J. L. RALSTON

J. L. ILSLEY

J. E. MICHAUD

C. D. HOWE

J. G. GARDINER

N. A. McLARTY

J. A. MacKINNON

W. P. MULLOCK

A. L. MACDONALD

J. T. THORSON

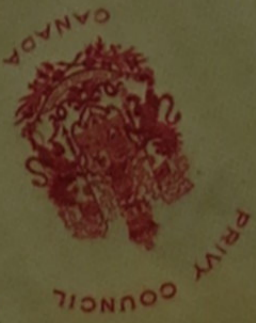
APPROVED.  
7 DECEMBER 1941

*May it please Your Excellency*



GOVERNOR GEN  
OF THE  
His Majesty's Personal  
Victorian Order, Companion  
Saint Michael and Saint  
Order of the Bath, Grand  
Honourable Privy Council, Knight  
the Most Noble Order of the  
Major-General the Right Honourable

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P.C. 9590



AT THE GOVERNMENT HOUSE AT OTTAWA  
Sunday, the 7th day of December, 1941.

PRESENT

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS it is considered necessary and expedient, with a view to preventing any of the resources in Canada of residents of the Japanese Empire and Japanese occupied and/or controlled territory from falling under the control or being used to the advantage of the enemy, to place under custody all property in Canada of persons residing in the Japanese Empire and Japanese occupied and/or controlled territory, including Indo China, and to regulate trading with such persons;

AND WHEREAS the Prime Minister, for the Secretary of State, reports that the most expedient measure which can be adopted to ensure such custody and regulation is to use the machinery of the Custodian's office established under the Consolidated Regulations Respecting Trading with the Enemy (1939), and to confer on the Secretary of State the powers of regulation and control in respect of such property in Canada of persons residing in the Japanese Empire and Japanese occupied and/or controlled territory which are

exercisable

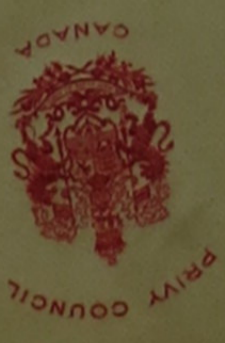
*Custodian of Enemy Property 8<sup>th</sup> Dec. 1941.  
Kearns  
P.M.*

*Canada Gazette*

*20-12-41, p. 2194*



TO H  
Major-General the Right  
the Most Noble Order of  
Honourable Privy Council  
Order of the Bath, Gra  
Saint Michael and Sai  
Victorian Order, Compa  
His Majesty's Personal  
GOVERNOR GEN  
OF TH



P. 9590

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exercisable by him as Secretary of State and as Custodian under the Consolidated Regulations Respecting Trading with the Enemy (1939) in respect to proscribed territory.

THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Prime Minister, for the Secretary of State, concurred in by the Minister of Finance, and under and by virtue of the War Measures Act, Chapter 206 Revised Statutes of Canada, 1927, is pleased to order and doth hereby order as follows:

From and including the seventh day of December, 1941, the provisions of the Consolidated Regulations Respecting Trading with the Enemy (1939) are hereby extended to and deemed to apply to the Japanese Empire and Japanese occupied and/or controlled territory as proscribed territory.

*M. Maclean*

Approved  
Athlone.

7 Dec 1941



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TO HIS  
Major-General the Right Hon.  
the Most Noble Order of the  
Honourable Privy Council,  
Order of the Bath, Grand  
Saint Michael and Saint  
Victorian Order, Companion  
His Majesty's Personal  
GOVERNOR GEN  
OF THE



P.C. 9591

*Amended by P.C. 1074, 13.2.42*



AT THE GOVERNMENT HOUSE AT OTTAWA  
Sunday, the 7th day of December, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS the Acting Minister of Justice reports that he has been advised by the Commissioner of the Royal Canadian Mounted Police that more information is obtained from persons of the Japanese race upon their registration with the Royal Canadian Mounted Police than that obtained upon the registration of enemy aliens under the provisions of the Defence of Canada Regulations; and

*of Dec. 1941.*

That the provisions of Defence of Canada Regulations 24, 25 and 26 should be extended to persons of Japanese nationality;

*Justice  
R.C.M.P.  
P.M.  
Kearns  
K  
C.A.*

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Acting 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 amend the Defence of Canada Regulations (Consolidation) 1941, made by Order in Council P.C. 5295 of July 15th, 1941, and they are hereby amended as follows:

1. Paragraphs (4) and (5) of Regulation 25 are revoked and the following substituted therefor:-

"(4) Every enemy alien who has not prior to December 6, 1941, done so, shall, on or before February 7, 1942, or as soon thereafter as he becomes an enemy alien, attend before the Registrar or one of the Registrars in the city, town or place within or nearest to which he is or resides and truly answer such questions with regard to the matter referred to in paragraph (5) of this regulation as such Registrar may put to him.

"(5)/

*Canada Gazette  
20-12-41. p. 2194*



GOVERNOR GENERAL A  
OF THE  
His Majesty's Personal Aides-de-  
Victorian Order, Companion of the  
Saint Michael and Saint George  
Order of the Bath, Grand Master  
Honourable Privy Council, Knight  
the Most Noble Order of the G  
Major-General the Right Hono



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"(5) When any enemy alien attends before him, the Registrar shall register such enemy alien in the manner required by the Registrar General and shall, except in the case of persons of the Japanese race who have registered with the Royal Canadian Mounted Police, record the following particulars:-

- (a) his name
- (b) his age
- (c) his nationality
- (d) his place of residence in Canada and in the Country of his nationality
- (e) his occupation
- (f) the names of his wife and children, if any, in Canada, and
- (g) such other particulars as are necessary for his identification or as may to the Registrar seem advisable.

The Registrar General may make provision for the issuance of an identification document to each enemy alien registered in accordance with the provisions of this Regulation."

2. Regulation 26A is revoked and the following substituted therefor:-

"26A. The provisions of Regulations 24, 25 and 26 of these Regulations shall apply mutatis mutandis to all persons

- (a) born in territories which were under the sovereignty or control of the German Reich on September 3, 1939, or
- (b) born in territories which were under the sovereignty or control of Italy on June 10, 1940, or
- (c) of the Japanese race other than citizens of the United States of America

who are not British subjects: Provided that the Registrar General may issue a certificate exempting any such person from the operation of the provisions of the said regulations, and provided further that the provisions of the said regulations shall not apply to persons who are nationals of and were born in Czechoslovakia, which for the purposes of this regulation, means Czechoslovakia as it existed on the first day of January, 1939."

3. Paragraph (1) of Regulation 26B is amended by inserting the word "or" and adding the following sub-paragraph after sub-paragraph (c) thereof:-

"(d) are of the Japanese race;"

4./



OF THE DO  
GOVERNOR GENERAL  
His Majesty's Personal Aides  
Victorian Order, Companion  
Saint Michael and Saint George  
Order of the Bath, Grand Knight  
Honourable Privy Council, K.C.M.G.  
the Most Noble Order of the  
Major-General the Right Honourable



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4. Regulation 2 is amended by adding the following thereto as paragraph (4):-

"(4) For the purposes of these regulations 'person of the Japanese race' shall include a person not wholly of the Japanese race if his father or mother is of the Japanese race and if the Registrar General of Enemy Aliens, by notice in writing, requires him to register as an enemy alien."

*M. M. M. M. M.*

Approved

Athlon.

28 Dec. 1941



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7 December 1941



OF THE DOMINION  
GOVERNOR GENERAL  
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Victorian Order, Companion of the  
Saint Michael and Saint George  
Order of the Bath, Grand Master  
Honourable Privy Council, Knight  
the Most Noble Order of the Garter  
Major-General the Right Honourable

TO HIS  
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P.C. 9592

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The Committee of the Privy Council have had before them a report, dated 7th December, 1941, from the Right Honourable W.L. Mackenzie King, the Prime Minister, representing:

That, today, Japan has wantonly and treacherously attacked British territory and British forces, and also United States territory and United States forces;

That Japan's actions are a threat to the defence and freedom of Canada and the other nations of the British Commonwealth;

That the Government of Canada, in accordance with the decision of the Parliament of Canada for effective co-operation by Canada at the side of Britain to resist aggression, has associated itself with the Government of the United Kingdom in these hostilities; and

That it is expedient that a Proclamation should be issued declaring the existence of a state of war between Canada and Japan.

The Prime Minister, therefore, recommends that the advice of the King's Privy Council for Canada be submitted to the King, with a view to the authorization by His Majesty of the issuing of a Proclamation forthwith, to be published in the Canada Gazette, to the following effect:

"Declaring that a state of war with Japan exists and has existed in Canada as and from the seventh day of December, 1941."

The Committee concur in the foregoing recommendation and submit the same for approval.

*W.L. Mackenzie King*

Approved  
*Attkin*

7<sup>th</sup> Dec. 1941

9<sup>th</sup> Dec. 1941  
1 P.M.  
2 S.D.  
1 Keenan  
1 K.  
1 E.A.



TO HIS  
Major-General the Right Hon  
the Most Noble Order of the  
Honourable Privy Council, Knight  
Order of the Bath, Grand Master  
Saint Michael and Saint George,  
Victorian Order, Companion of  
His Majesty's Personal  
GOVERNOR



All of which is respectfully submitted,

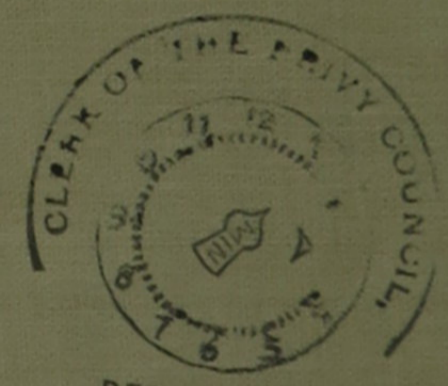
President.

PRIVY COUNCIL CHAMBER

Ottawa, 7<sup>th</sup> December 1941.

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