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In  
Council

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19 January 1943



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19 January 1943



2710  
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 HONOURABLE

T. A. CRERAR  
J. H. KING  
J. L. RALSTON  
I. A. MACKENZIE  
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E. BERTRAND  
L. R. LAFLECHE

APPROVED.  
19 JANUARY 1943

*May it please Your Excellency*



GOVERNMENT  
 His Majesty's Privy Council  
 the Honourable Privy Council  
 the Most Noble Order of the Garter  
 the Order of the Bath  
 the Order of the British Empire  
 the Order of the Companions of the Order of St. Michael and St. George  
 the Order of the Companions of the Order of St. John the Evangelist  
 the Order of the Companions of the Order of the Crown  
 the Order of the Companions of the Order of the Star of India  
 the Order of the Companions of the Order of the Star of Africa  
 the Order of the Companions of the Order of the Star of the East  
 the Order of the Companions of the Order of the Star of the West  
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 the Order of the Companions of the Order of the Star of the South  
 the Order of the Companions of the Order of the Star of the North  
 TO HIS EXCELLENCY  
 2710

The Proceedings of a Meeting of the Committee  
 of the Privy Council held on the nineteenth day of  
 January, 1943, contained in this Report, comprising  
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are submitted for Your Excellency's approval.

Government House,  
 Ottawa.

*Approved*  
*Atblome*  
 19. 1. 43.

Submitted for Your Excellency's information.  
 P.C. 323  
 P.C. 472







P.C. 246-a

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THE NATIONAL SELECTIVE SERVICE CIVILIAN REGULATIONS

Short Title

These regulations may be cited as The National Selective Service Civilian Regulations.

Interpretation

2. In these regulations, unless the context otherwise requires:-

- (a) "advertisement" includes any notice, announcement or information;
- (b) "agriculture" means the production on a farm of field crops, fruits, vegetables, honey, poultry, eggs, live-stock, milk, butter or cheese;
- (c) "Associate Director" means an Associate Director of National Selective Service appointed under these regulations;
- (d) "Board" means a Mobilization Board established under the National Selective Service Mobilization Regulations and, with reference to any man, means the Board established for the Division in which he resides;
- (e) "dependent", when used with respect to any person, means some other person dependent for support on the income earned by such person in a business, occupation or employment;
- (f) "Director" means the Director of National Selective Service appointed under these regulations;
- (g) "Division" means a Division established by or pursuant to the National Selective Service Mobilization Regulations;
- (h) to "lay off" means to cease for a period to make use of the services of an employee under circumstances which relieve the employer from remunerating the employee in respect of such period;
- (i) "local office" means an Employment and Selective Service Office, formerly an Employment and Claims Office established by the Unemployment Insurance Commission, or any other office designated by the Minister as a local office for the purpose of these regulations; and in respect of any person, means the nearest local office to the place where he carries on business or is employed or, if he is not in business or employed, to the place where he resides;
- (j) "Minister" means the Minister of Labour;
- (k) "national" includes subject or citizen;
- (l) "peace officer" has the same meaning as in the Criminal Code;
- (m) "person employed in agriculture" means, except in section two hundred, a person who, on the twenty-third day of March, nineteen hundred and forty-two, was wholly or mainly employed or occupied in agriculture and includes any person who, on the said day, was employed or occupied on seasonal work in a primary industry and whose last employment or occupation immediately prior to such employment or occupation in a primary industry was wholly or mainly in agriculture.



P. e. 246-a

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- (n) "prescribed" means prescribed by the Minister;
- (o) "primary industry" means lumbering, logging, forestry, fishing and trapping;
- (p) "publish" means to communicate to any person or persons by any means whatsoever;
- (q) "Selective Service Officer" means a National Selective Service Officer appointed under these regulations and in respect of any person means a Selective Service Officer for the area in which such person carries on business or is employed, or if he is not in business or employed, for the area in which he resides;
- (r) "technical person" means a person described in Schedule "A";
- (s) a reference to a section, part or schedule by number only shall be a reference to such section, part or schedule in these regulations;
- (t) words importing the masculine gender include corporations as well as females; and
- (u) "year" means a year commencing on the first day of a month of January.



P.C. 246-b

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PART I

General

100. The Minister shall carry out the policies of the Government of Canada with reference to the utilization of manpower in the prosecution of the war by the voluntary placement of labour, if that is practical, and shall only exercise the powers of compulsion vested in him by these regulations when, in his opinion, such action is necessary to carry out the policies of the Government.

101. For the purpose of carrying out the policies of the Government, the Minister shall

- (a) maintain and operate an employment service in Canada;
- (b) take such steps as may be necessary to ensure the most efficient use of manpower by employers other than His Majesty in right of Canada;
- (c) make such surveys of the manpower resources and needs of Canada as he deems necessary;
- (d) after consultation with the armed services of Canada and the departments and agencies of the Government of Canada whose activities affect or relate to the demand for and the supply of manpower, recommend to each of them such action as, in his opinion, is necessary to co-ordinate such activities and carry out the policies of the Government; and
- (e) after consultation with the armed services of Canada and the departments and agencies of the Government of Canada whose activities affect or relate to the demand for and the supply of manpower, recommend to the Governor in Council such action as, in his opinion, is necessary to co-ordinate activities of the armed services of Canada and of departments and agencies of the Government of Canada which affect the demand for or the supply of manpower and such further action as is necessary to achieve the manpower objectives laid down by the Government.



## PART II

## Civilian Employment

Interpretation

200. (1) In this part, unless the context otherwise requires:
- (a) "court of referees" means a court of referees constituted under section fifty-three of The Unemployment Insurance Act, 1940.
  - (b) "employee" means any person who has attained his sixteenth birthday and has not attained his sixty-fifth birthday and who is employed under a contract of service or apprenticeship, written or oral, expressed or implied; includes any person or group or class of persons not employed under a contract of service or apprenticeship when the Minister declares such person or group or class of persons to be an employee for the purposes of this part; but does not include -
    - (i) any person employed by His Majesty in right of any province;
    - (ii) any member of His Majesty's Naval, Military or Air Forces;
    - (iii) any person employed in agriculture, fishing, fish processing, hunting or trapping;
    - (iv) any technical person;
    - (v) any minister, priest or clergyman authorized to perform the marriage ceremony;
    - (vi) any registered nurse, any person undergoing training to become a nurse or any practical nurse in a private home;
    - (vii) any teacher in a school, college or university which, in the opinion of the Minister, is not carried on for gain;
    - (viii) any female person employed in domestic service in a private home where not more than one servant is employed;
    - (ix) any student when employed only after day classes or on holidays during the school or college term but not when employed during the long summer vacation;
    - (x) any person in respect of part-time subsidiary employment which is not his principal means of livelihood;
    - (xi) any person in respect of casual or irregular employment for not more than three days in any calendar week for the same employer.
  - (c) "employer" means any person having one or more persons in his employ and includes His Majesty in right of Canada, any person acting on behalf of an employer, and in the case of a corporation which is an employer, any officer of the corporation;
  - (d) "notice of separation" means a notice given by an employer or employee pursuant to section two hundred and two or a similar notice given under The National Selective Service Regulations, 1942;
  - (e) "permit to seek employment" means a permit furnished by a Selective Service Officer pursuant to section two hundred and four or a similar permit furnished under The National Selective Service Regulations, 1942; and
  - (f) "urban municipality" means an urban municipality whose population exceeds five thousand.



201. (1) When a person ascertains that he requires or will require to engage an employee or that he will be laying off or discharging an employee, he shall forthwith notify the local office of such requirement or supply the local office with such information as to the employee to be laid off or discharged as may be prescribed.

(2) Any person who has attained his sixteenth birthday and has not attained his sixty-fifth birthday and who, for a period of seven consecutive days, has been unemployed or not gainfully occupied shall, unless he is

(a) a technical person, or

(b) a school, college or university student,

forthwith register with the local office and supply such information as may be prescribed.

(3) No person shall have in his employment more persons of any particular qualifications than are reasonably necessary for his immediate needs without notifying the local office that the persons whose services are not immediately necessary are available for employment.

Separation from Employment

202. (1) No employer shall lay off or terminate the employment of an employee without giving him in prescribed form in duplicate

- (a) seven days' notice of separation exclusive of the day on which the notice is given, or
- (b) such shorter notice as the Selective Service Officer allows,

unless

- (i) the employee is employed on building construction work,
- (ii) the employee has been in his employ for a period of less than one month,
- (iii) by reason of weather conditions or by reason of fire, explosion or other calamity, the employee's services cannot be utilized, or
- (iv) the employee has refused to accept a transfer under a collective labour agreement or practice in the industry in accordance with which employees have agreed or are accustomed to transfer from their usual employment to alternative employment with the same employer at a lower rate of remuneration.

(2) Where

- (a) an employee is employed on building construction work,
- (b) an employee has been in an employer's employ for a period of less than one month,
- (c) by reason of weather conditions or by reason of fire, explosion or other calamity, an employee's services cannot be utilized, or
- (d) an employee has refused to accept a transfer under a collective labour agreement or practice in the industry in accordance with which employees have agreed or are accustomed to transfer from their usual employment to alternative employment with the same employer at a lower rate of remuneration,

the employer shall give him notice of separation in prescribed form in duplicate before laying him off or terminating his employment.

(3) Except to undergo alternative service under the National Selective Service Mobilization Regulations or to enter service in His Majesty's Canadian armed forces, no employee shall terminate his employment without giving to his employer in prescribed form in triplicate

(a) seven days' notice of separation exclusive of the day on which such notice is given, or

(b) such shorter notice as the Selective Service Officer allows,

unless he is employed on building construction work or has



been in the employment for a period of less than one month, in which event he shall give his employer notice of separation in prescribed form in triplicate before terminating his employment.

(4) The Selective Service Officer may, in accordance with principles and directions set out in instructions given by the Minister, allow an employer to give less than seven days' notice under this section; and without limiting the generality of the foregoing, he may do so if he is satisfied

- (a) that it is impossible by reason of
  - (i) the absence from work of another employee or group of employees,
  - (ii) a power shortage,
  - (iii) conditions which might jeopardize the health of the employee,
  - (iv) a shortage of materials, or
  - (v) a breakdown of machinery,
 to give the seven days' notice before the employee's services become unnecessary and that the circumstance making it impossible was, in the opinion of the Selective Service Officer, beyond the employer's control; and
- (b) that the employer cannot use the employee's services in alternative employment;

but when the services are made unnecessary by reason of a shortage of materials or a breakdown of machinery he may not allow the employer to give less than two days' notice.

(5) Where an employer applies for a reduction in the seven days' notice affecting an employee who is a member of a trade union and such employer and the trade union have a collective labour agreement, the Selective Service Officer shall consult with the authorized representatives of the trade union before making his decision.

(6) Every employer shall, on request, furnish an employee with an adequate supply of forms containing the prescribed notice of separation.

(7) Where an employer gives an employee notice of separation under this part the employee shall forthwith acknowledge receipt thereof by signing one copy in the prescribed place and return such copy to the employer.

(8) Where an employee gives an employer notice of separation under this part, the employer shall forthwith acknowledge receipt thereof by signing one copy in the prescribed place and return such copy to the employee.

(9) Every employer who gives or receives a notice of separation under this part shall retain one copy thereof and shall, within forty-eight hours of giving or receiving such notice, deliver a copy thereof to the local office.

(10) The provisions of this part with respect to the giving of notice of separation shall not supersede any law, statutory or otherwise, requiring a longer notice.

(11) No employer or employee shall be bound by this section insofar as it is inconsistent with any right or privilege of the employer or employee, as the case may be, under an existing collective labour agreement which was entered into prior to the first day of September, nineteen hundred and forty-two.

203. (1) Where an employer is of opinion that an employee is guilty of serious misconduct he may give him notice of separation pursuant to section two hundred and two and suspend him from duty forthwith.

(2) An employee may, within seven days of being suspended for serious misconduct, exclusive of the day on which he was suspended, apply in writing to the Selective Service Officer to review such suspension; and, if he does not make such an application, his employment shall be deemed to have terminated when he was suspended.



(3) Where an employee is a member of an association with which his employer has entered into a collective labour agreement which provides for review of a suspension of a member of the association from work, he may not apply under this section to the Selective Service Officer to review a suspension notwithstanding subsection two of this section.

(4) If, upon reviewing a suspension for serious misconduct, a Selective Service Officer finds that the employee was guilty of serious misconduct, the employee's employment shall be deemed to have terminated when he was suspended but, if, upon such review, the Selective Service Officer finds that the employee was not guilty of serious misconduct, the employer shall reinstate the employee with full pay from the time the application for review was made and the notice of separation given prior to the suspension shall be of no effect.

#### Permits to Seek Employment

204. (1) The Selective Service Officer shall, on request, furnish a permit to seek employment in prescribed form to any employee who presents a notice of separation signed by his employer or to any person other than an employee, and he may, in accordance with principles and directions set out in instructions given by the Minister, insert therein restrictions as to

- (a) the place where employment may be obtained thereunder,
- (b) the employer from whom employment may be obtained thereunder,
- (c) the nature of the employment which may be obtained thereunder, or
- (d) the duration of the employment which may be obtained thereunder.

(2) The Selective Service Officer may, at any time, in accordance with principles and directions set out in instructions given by the Minister,

- (a) cancel a permit to seek employment by notice in writing to the employer and employee effective upon or after the expiration of seven days from the day such notices are mailed, or
- (b) extend the period of employment fixed by a permit to seek employment.

205. (1) Neither an employer nor a person acting or pretending to act on behalf of an employer shall

- (a) interview any person with regard to employment as an employee,
- (b) solicit any person to enter into employment as an employee,
- (c) offer any person employment as an employee, or
- (d) take any person into employment as an employee,

unless such person presents to him in duplicate a permit from the Selective Service Officer to seek such employment.

(2) No person shall apply for, accept or enter employment as an employee, unless he has obtained from the Selective Service Officer a permit to seek such employment.

(3) No permit to seek employment is necessary for the re-employment of an employee by an employer,

- (a) within fourteen consecutive days from the day on which the employee was last employed by the employer,
- (b) at the termination of a period of sickness or disability which occasioned the termination of a previous employment of the employee by the employer,
- (c) at the termination of a stoppage of work which resulted from an industrial dispute and terminated the employee's previous employment by the employer,
- (d) pursuant to a collective labour agreement providing preference in re-employment according to service or seniority, or



- (e) upon reinstatement in employment pursuant to this part or The Reinstatement in Civil Employment Act, 1942,

but in any such case, the employer shall, within forty-eight hours of the commencement of such re-employment, deliver notice of such re-employment in prescribed form to the local office.

(4) Where an employer takes an employee into employment, he shall, unless it is a case of re-employment under subsection three of this section,

- (a) record the prescribed particulars of the employment on both copies of the permit to seek employment presented to him by the employee,
- (b) retain one copy of the permit to seek employment on file, and
- (c) within forty-eight hours of taking the employee into his employment, deliver the other copy of the permit to the local office.

206. (1) No employer shall during any day retain in his employment an employee who was, contrary to law, taken into employment without having obtained and presented a permit to seek such employment.

(2) No employer shall retain an employee in his employment during any day if the permit to seek employment pursuant to which he took the employee into his employment has been cancelled pursuant to these or any other regulations or during any day after the period of employment authorized thereby expires.

(3) No employee shall, during any day, remain in any employment which he, contrary to law, entered without having obtained a permit to seek employment.

(4) No employee shall remain in any employment during any day if the permit to seek employment pursuant to which he entered such employment has been cancelled pursuant to these or any other regulations or during any day after the period of employment authorized thereby expires.

#### Agricultural Employment

207. (1) No person employed in agriculture shall enter or remain during any day in employment outside agriculture except

- (a) active service in His Majesty's Canadian armed forces, or
- (b) seasonal or temporary employment outside an urban municipality for not more than sixty days in any year when such employment does not interfere with agricultural production,

unless he has first obtained from the Selective Service Officer a permit in prescribed form to enter or remain in such employment.

(2) No person shall take a person employed in agriculture into employment outside agriculture, or retain during any day a person employed in agriculture in employment outside agriculture except

- (a) active service in His Majesty's Canadian armed forces, or
- (b) seasonal or temporary employment outside an urban municipality for not more than sixty days in any year when such employment does not interfere with agricultural production,

unless such person presents to him a permit obtained from the Selective Service Officer in prescribed form to accept or remain in such employment.



(3) The Selective Service Officer on request may, in accordance with principles and directions set out in instructions given by the Minister, furnish a permit to a person employed in agriculture to enter or remain in employment outside agriculture and insert therein restrictions as to

- (a) the place where employment may be obtained thereunder;
- (b) the employment which may be obtained or retained thereunder;
- (c) the nature of the employment which may be obtained thereunder; or
- (d) the duration of the employment which may be obtained or retained thereunder.

(4) The Selective Service Officer may, at any time, in accordance with principles and directions set out in instructions given by the Minister,

- (a) cancel a permit furnished under this section by notice in writing to the employer and employee effective upon or after the expiration of seven days from the day such notice is mailed; or
- (b) extend the period of employment fixed by such a permit.

(5) No person shall retain a person employed in agriculture in his employment during any day if the permit pursuant to which he took the person employed in agriculture into his employment, or retained him in his employment, has been cancelled pursuant to this section or during any day after the period of employment fixed thereby expires.

(6) No person employed in agriculture shall remain in any employment during any day if the permit pursuant to which he entered such employment, or remained in such employment, has been cancelled pursuant to this section or during any day after the period of employment authorized thereby expires.

#### Advertisements

208. (1) No person shall publish an advertisement offering employment as an employee or seeking employment as an employee except pursuant to and in accordance with a permit obtained from the Selective Service Officer.

(2) Where an application is made to a Selective Service Officer for a permit to advertise under this section, the Selective Service Officer may, in accordance with principles and directions set out in instructions given by the Minister,

- (a) refuse the permit,
- (b) grant the permit subject to such conditions as he deems proper, or
- (c) with the applicant's consent, make such arrangements, at the applicant's expense, as he deems proper.

#### Control of Employment

209. (1) A Selective Service Officer may, in accordance with principles and directions set out in instructions given by the Minister, by order in writing direct any person,

- (a) to report for interview at a local office at a time which will not interfere with his work or occupation, if any;
- (b) if the person is unemployed or not gainfully occupied, to apply forthwith for specified employment which, in the opinion of the Selective Service Officer, is suitable and to accept the employment when it is offered to him; or
- (c) if, for more than two consecutive weeks, the person has not been gainfully occupied during normal full time, to apply, within seven days from the time when the direction is given, for specified full time employment which, in the opinion of the Selective Service Officer, is suitable and to accept the employment when it is offered to him,

and every person to whom any such direction is given shall comply with the direction.



(2) An employee shall, for the purpose of this section, be deemed to be unemployed on the termination of a period of seven days from the day his employer gives him a notice of separation or he gives his employer a notice of separation.

(3) When a Selective Service Officer directs an employed person to accept employment under this section, he shall send a copy of the order to such person's employer.

(4) In deciding whether employment is suitable for a person, a Selective Service Officer shall consider such factors as he deems relevant including the person's physical condition, training, experience, prior earnings and personal responsibilities and the distance of the employment from his residence; and he shall not consider employment to be suitable if the wages are lower, or the conditions of work are less favourable, than either those fixed by collective agreement for the place where the work is to be performed or, if there is no such agreement, those observed by good employers.

(5) When a Selective Service Officer directs a person under this section to accept employment which necessitates changing his place of residence, he shall, in accordance with principles and directions set out in instructions given by the Minister, provide such person with financial assistance under section two hundred and twelve.

(6) Where a person accepts employment pursuant to a direction given under this section he shall not terminate the employment or cease to perform his duties in the employment, nor shall his employer terminate the employment or lay him off, within six months from the day he enters the employment, without a written permit from the Selective Service Officer.

210.(1) When, after having, in his opinion, given all interested persons an opportunity to be heard, the Minister is of opinion that an employed person to whom The National Selective Service Mobilization Regulations apply and who belongs to an age class or part of an age class which has been designated by proclamation for the purpose of the said regulations can contribute more effectively to the prosecution of the war in employment other than that in which he is employed, the Minister may by order require the employer of such person forthwith to give such person two weeks' notice that his employment will be terminated.

(2) When the Minister has made an order under subsection one of this section, the Selective Service Officer may, after the expiration of the two week period, by order in writing require the person whose employment is so terminated to apply forthwith for specified employment which, in the opinion of the Selective Service Officer, is suitable and to accept the employment when it is offered to him; and subsections three, five and six of section two hundred and nine shall apply mutatis mutandis as if enacted in this section.

(3) Within forty-eight hours of receiving an order from the Minister under this section, the employer shall give the notice therein required to be given and inform the local office as to the time when it was given.

(4) For the purposes of this section, "employer" shall include every person having any other person in his employ and "Minister" includes any senior officer appointed under these regulations and designated by the Minister to exercise the powers conferred on him by this section.

211. Where in the opinion of a Selective Service Officer, it is in the national interest that an employed person take employment other than that in which he is employed, the Selective Service Officer may request him to accept such employment at the expiration of seven consecutive days from service on his employer, either personally or by registered post, of a notice that such request is made pursuant to these regulations; and the person to whom such request is made may accept such employment at the expiration of such time notwithstanding his contract of employment or any law, statutory or otherwise, to the contrary.



Supplementary Allowances

- 212.(1) Where a Selective Service Officer has directed or requested a person to take employment and deems it necessary for the efficient placement of workers he may, in accordance with principles and directions set out in instructions given by the Minister
- (a) advance such person an amount not exceeding his necessary travelling expenses from the place where he was when he was requested to take the employment to the place of employment;
  - (b) advance such person an amount not exceeding his necessary travelling expenses from the place of employment to the place where he was when he was requested to take the employment or to a place equidistant from the employment;
  - (c) if, in his opinion, it is necessary to move such person's dependents, advance him an amount not exceeding the necessary travelling expenses for his dependents and other necessary expenses arising out of his change of residence; and
  - (d) pay him an amount substantially equivalent to the remuneration which, in the Selective Service Officer's opinion, he would receive from such employment during the period equal to the time necessarily spent travelling to the place of employment.
- (2) A person to whom an advance is made under subsection one of this section shall repay the amount thereof to the Crown upon demand but he shall be deemed to have repaid to the Crown in respect of such advance five dollars for each week during which he remains in the employment which he accepted on the direction or at the request of the Selective Service Officer; and if he remains in the employment for the period which he was, pursuant to this part, directed or requested to remain, or if, for reasons beyond his control, he does not enter the employment which he was directed or requested to take, he shall be deemed to have repaid the full amount of the advance.
- (3) Where a Selective Service Officer directs or requests a person to take employment which involves a change of residence and requires him to be separated from his dependents, and the earnings from the employment are not, in the opinion of the Selective Service Officer, sufficient to compensate him for the increased cost of living occasioned by the separation, the Selective Service Officer may, in accordance with principles and directions set out in instructions from the Minister, pay him a supplementary living allowance not exceeding five dollars for each week he is in such employment;
- (4) Where a Selective Service Officer has, under this part, directed or requested an employed person to take employment at a lower rate of remuneration than he is receiving, the Minister may pay him or authorize the employer notwithstanding the Wartime Wages Control Order to pay him, a supplementary allowance not exceeding five dollars for each week he remains in the employment.
- (5) Where a Selective Service Officer directs or requests a person to take employment, he may, in accordance with principles and directions set out in instructions from the Minister, advance him an amount not exceeding fifteen dollars to defray living expenses during the first week of employment, and the person to whom such advance is made shall repay the amount thereof to the Selective Service Officer within forty-eight hours from receiving his first normal wages or salary from the employment or within such further period as the Selective Service Officer may allow.
- (6) Payments under subsections three and four of this section may be made to the person to whom the supplementary allowance is granted or to his employer on his behalf; and where any such payment is made to an employer, the employer shall pay it to the person to whom the supplementary allowance is granted within one month from the receipt thereof.
- (7) Where an advance is made under subsection one of this section for travelling expenses, the Selective Service Officer may pay the amount thereof or any part thereof to a transportation company in payment of transportation for the person to whom the advance is made.



Reinstatement

213. (1) Where a Selective Service Officer directs or requests an employed person to accept other employment under this part and notifies the employed person's employer that such direction or request is made pursuant to these regulations and the employed person thereupon accepts such employment, the provisions of The Reinstatement in Civil Employment Act, 1942, shall apply mutatis mutandis to the reinstatement of such person upon the termination of the work which he has been directed or requested to accept.

(2) Where a person terminates the employment of another person pursuant to an order made under these regulations, the provisions of The Reinstatement in Civil Employment Act, 1942, shall apply mutatis mutandis to the reinstatement of the person whose employment has been terminated when the Minister certifies that such person is no longer required for other work.

Appeals

214. (1) Where the Minister makes an order under section two hundred and ten or a Selective Service Officer refuses to grant or cancels a permit, or makes an order, direction or ruling under this part, a person affected thereby, or a representative of a trade union or similar organization to which a person affected thereby belongs, may appeal therefrom to a court of referees by a notice in writing containing a statement of the grounds of the appeal filed in the local office within seven days from the time when the permit was refused or cancelled or the order, direction or ruling was made.

(2) The members of the court of referees to which an appeal is referred shall be chosen in the same manner as in the case of an appeal to a court of referees under The Unemployment Insurance Act, 1940.

(3) The court of referees to which an appeal is referred shall consider and determine the appeal as soon as possible after receipt of the notice of appeal and its decision thereon shall be final and conclusive.

(4) An appeal may, with the consent of the appellant but not otherwise, be proceeded with in the absence of any member or members of the Court other than the chairman.

(5) No person shall be a member of a court of referees during the consideration of an appeal

- (a) in which he is or may be directly interested;
- (b) in which he is or has been a representative of the appellant or other interested person; or
- (c) in which he has taken any part either as a witness or otherwise.

(6) The appellant when filing his notice of appeal may apply, by notice in writing filed in the local office, for a hearing; and the chairman of a court of referees may refuse an application for a hearing or he may, whether or not an application for a hearing has been made, direct that there shall be a hearing.

(7) If the number of members of the court of referees is an even number, the chairman shall have a second or casting vote.

(8) The procedure on a hearing shall be determined by the chairman of the court of referees.

(9) A court of referees shall not decide an appeal until a reasonable opportunity has been given to the claimant to make any representations which he desires the Court to consider in making its decision; and in any case where a hearing has not been directed, the claimant shall be given an opportunity of making representations to the court of referees in writing and if he fails to do so, he shall be deemed to have had such reasonable opportunity.

(10) Any person who appears before a court of referees shall do so at his own expense.

(11) The Minister may publish a decision of the court of referees if and as he deems proper.

(12) For the purposes of remuneration, a court of referees functioning under this part shall be deemed to be functioning under the Unemployment Insurance Act, 1940.



PART IIITechnical PersonnelInterpretation

300. In this part unless the context otherwise requires
- (a) "employer" includes His Majesty in right of Canada and in right of any province;
  - (b) "essential work" means work which is, in the opinion of the Minister, essential to the efficient prosecution of the war;
  - (c) "minister" includes any person designated by the Minister to act on his behalf under this Part;
  - (d) "science student" means a male person who has registered at a university as a full-time student during all or part of the academic year for a course the successful completion of which, in the opinion of the Minister, will qualify the person as a technical person; and
  - (e) "University" means any person or group of persons, including His Majesty in right of any province, administering or operating a university or college which is, in the opinion of the Minister, properly equipped and staffed to train persons to be technical persons.

Supply and Demand

301. (1) When a person ascertains that he requires or will require to engage a technical person or that he will be laying off or discharging a technical person, and when a person discharges or lays off a technical person, he shall forthwith supply the Minister at Ottawa with such information as to his requirements or the technical person discharged or laid off or to be discharged or laid off as may be prescribed.

(2) When a technical person desires to obtain new employment or is, or knows that he is going to be, unemployed or not gainfully occupied full time on work of a kind for which he is especially qualified, he shall forthwith supply the Minister at Ottawa with such information as may be prescribed.

Control of Employment

302. (1) No person shall, without the approval of the Minister, enter into a contract or arrangement for the services of a technical person except a contract or arrangement in respect of part-time subsidiary employment which is not the technical person's principal means of livelihood.

(2) No person shall make use of the services of a technical person during any day and no person shall pay any remuneration or salary to a technical person in respect of any day if the employment or arrangement under which he is employed came into operation without the approval required by these regulations or any other regulation.

Employment Changes

303. (1) Where, in the opinion of the Minister, any technical person, other than a member of His Majesty's Canadian armed forces, is capable of contributing more effectively to the war effort in essential work other than that, if any, upon which he is engaged, the Minister may request him to take employment in such work and notify his employer of such request.



(2) Where a technical person agrees to accept work pursuant to a request by the Minister under this section, the employer of the technical person may make representations in writing to the Minister at Ottawa but if the Minister does not withdraw his request within thirty days from the day notice thereof is sent by registered mail to the employer at his place of business, the employer's employment of such person shall be terminated at the end of such period.

(3) Where a technical person enters employment on work which is, in the opinion of the Minister, essential work and the Minister notifies the employer by whom the technical person was employed immediately before entering such employment that he approves the arrangements for such employment, the technical person shall be deemed to have entered into the employment at the request of the Minister.

#### Reinstatement

304. (1) Where a technical person has entered employment on essential work at the request of the Minister, the employer by whom he was employed immediately before entering the employment on such work shall reinstate him at the termination of his employment on the essential work in a position and under circumstances not less favourable than the position which he would have held and the circumstances which would have been applicable to him had he not entered such employment.

(2) No person is required, by reason of subsection one of this section, to reinstate a former employee who entered employment in essential work at the request of the Minister if

- (a) the former employee does not, within two weeks from the termination of his employment on essential work, apply to the employer for reinstatement;
- (b) the former employee fails without reasonable excuse to present himself for employment at a time and place notified to him by the employer after his request for reinstatement;
- (c) by reason of a change of circumstances, other than the employment of some person to replace him, it is not reasonably practicable to reinstate him;
- (d) his reinstatement in a position and under conditions not less favourable to him than the position which he would have held and the circumstances which would have been applicable to him had he not undertaken the essential work is impracticable and the employee refuses, within a reasonable time, to accept the most favourable position under the most favourable conditions in which it is reasonably practicable for the employer to reinstate him;
- (e) the former employee is physically or mentally incapable of performing the work available in the employer's service; or
- (f) the former employee was originally employed to replace a person who had been accepted for service in His Majesty's Forces or to replace a person who entered employment in essential work at the request of the Minister.

(3) Where an employer has reinstated a technical person pursuant to this section, he shall not discharge him or lay him off without reasonable cause; and if he discharges him or lays him off within six months of the reinstatement, the onus shall be on the employer to prove that he had reasonable cause for so doing.



(4) Where an employer has entered into an agreement with his employees, some or all of whom are technical persons, that he will re-employ employees who leave his employment for employment in essential work, such agreement shall continue in force to the extent that it is not less advantageous to an employee than this section.

(5) No person is, by reason of this section, relieved of any obligation under a collective or other agreement.

(6) Where a person fails to reinstate a technical person who entered employment on essential work at the request of the Minister as required by this section or, contrary to this section, discharges or lays off a technical person without reasonable cause, he shall pay to the technical person an amount equal to three months' remuneration at the rate at which the technical person was being remunerated immediately prior to entering employment on essential work at the request of the Minister and, if he does not do so, the technical person may recover such amount as a debt in any court of competent jurisdiction.

#### University Science Students

305. (1) The armed forces of Canada, the departments and agencies of the governments of Canada and of the provinces of Canada, and all other persons employing technical persons from time to time, at the request of the Minister, shall supply him with such information as he may specify with reference to their present or future requirements of technical persons for essential work.

(2) Every university, from time to time, shall supply the Minister with such information as he may require with reference to science students registered with the university.

(3) If at any time, in the opinion of the Minister, the number of science students in the universities should be increased, he shall recommend to the universities the steps which ought to be taken to train the necessary number of technical persons.

306. (1) Before a person is permitted to commence or continue work as a science student he shall make a declaration in a form prescribed by the Minister indicating whether he wishes to volunteer for service in the armed forces of Canada as a technical officer.

(2) Every university, from time to time, shall at the request of the Minister, supply him with a list of the names of the science students who wish to volunteer for service in the armed forces as technical officers; and the Minister shall from time to time select therefrom the names of persons who, in his opinion, will fulfil the requirements of each branch of the armed forces and shall submit lists of such names for the consideration of the various branches of the armed forces.

(3) Every science student shall submit to such medical examination as the Department of National Defence may from time to time require.

307. (1) If at any time, the number of science students who wish to volunteer for service in the armed forces as technical officers is not adequate, in the opinion of the Minister, after consultation with the armed services of Canada and the departments and agencies of the Government of Canada whose activities affect or relate to the demand for and the supply of manpower, he may request any science student to accept such status in the reserve army and undergo such military studies and duties, whether during the academic year or not, as he may specify.

(2) No university shall retain any person in the university as a science student if such person refuses to accept status in the reserve army or to undergo military studies and duties as requested by the Minister pursuant to this section.



308. The Department of National Defence and the Department of Munitions and Supply shall provide such facilities for the training of science students as the Minister may from time to time require.

309. Every person who completes a course as a science student at a university and does not volunteer for service in the armed forces of Canada shall accept employment in such essential work as the Minister may require and remain in such employment during each day the Minister so requires.

310. No person, whether acting or pretending to act on behalf of any of the armed forces or any department or agency of government or not, shall

- (a) interview any science student, either before or after graduation, with regard to any employment, office or position;
- (b) solicit any science student, either before or after graduation, to enter any employment or to accept any office or position;
- (c) offer any science student, either before or after graduation, any employment, office or position; or
- (d) take any science student, either before or after graduation, into any employment or give him any office or position;

except by or with the consent of the Minister.



## PART IV

Labour Exit Permits

400. No person who has attained his sixteenth birthday shall leave Canada with the intention of seeking or entering into employment outside Canada except pursuant to a Labour Exit Permit in prescribed form issued to him by a Selective Service Officer, unless such person is

- (a) leaving Canada to take employment in the service of the Government of Canada, the Government of a province of Canada, or the Government of any other country;
- (b) not a Canadian national and is proceeding to a country of which he is a national;
- (c) permanently resident in a country other than Canada, and is proceeding to such country or on transit through Canada to some other country;
- (d) a member of a dramatic, artistic, athletic or spectacular organization leaving Canada temporarily for the purpose of giving public performances or exhibitions of an entertaining or instructive character;
- (e) an actor, artist, lecturer, journalist, priest, minister of religion, author, lawyer, physician, professor of a recognized educational institution, accredited representative of an international trade union, commercial traveller or undertaker, leaving Canada for the temporary exercise of his calling or office;
- (f) an officer or seaman proceeding to join a vessel in a United States port pursuant to authorization issued by or on behalf of the Director of Merchant Seamen;
- (g) the wife of a man who is leaving Canada pursuant to a Labour Exit Permit or who is exempt from obtaining a Labour Exit Permit; or
- (h) a farm labourer going to the United States for seasonal work under an arrangement between the Governments of Canada and the United States.

401. (1) A Selective Service Officer may, in accordance with principles and directions set out in instructions from the Minister, grant a Labour Exit Permit in prescribed form, either for a limited period of absence from Canada or for an indefinite period, to a person desiring to leave Canada to take employment or seek employment outside Canada, but no such permit shall be granted to a male British subject unless he has been authorized in writing by the chairman of the Board to leave Canada if he is prohibited by the National Selective Service Mobilization Regulations from leaving Canada without such authorization.

(2) The Selective Service Officer may, from time to time, in accordance with principles and directions set out in instructions from the Minister, renew a Labour Exit Permit which has been granted for a limited period.

(3) Labour Exit Permits shall not be valid for departure from Canada after the last day fixed therein for such departure.

(4) Where a Labour Exit Permit is endorsed with the words "right to cancel this permit is reserved", the holder shall, if



the Minister cancels the permit, return to Canada within such period as the Minister may fix.

(5) Where any Labour Exit Permit is granted for a limited period of absence from Canada, the holder shall return to Canada before the expiration of such period or the expiration of an extension of such period set out in a renewal of the permit.

402. An application for a Labour Exit Permit shall be in prescribed form and no person shall give false or misleading information in such application.

403. No person shall, without lawful reason or excuse, the proof of which shall lie upon him, have in his possession

- (i) a Labour Exit Permit or document purporting to be such permit, which permit or document was not lawfully issued to him pursuant to this order; or
- (ii) a blank form of Labour Exit Permit or printed form purporting to be such blank form of permit.

404. No person shall, without lawful excuse, the proof of which shall lie upon him, print or make a Labour Exit Permit or any printed paper purporting to be a blank form of Labour Exit Permit.

405. Any person leaving or attempting to leave Canada may be accosted by a peace officer, an immigration, customs or excise officer, or any other person authorized by the Minister to exercise the powers conferred by this section; and if, upon being so accosted such person fails to establish to the satisfaction of the person so accosting him that a Labour Exit Permit has been granted to him to leave Canada at that time or that he is not required by these regulations to have a Labour Exit Permit to leave Canada, any peace officer, any immigration, customs or excise officer, or any other person so authorized by the Minister, is justified in using such force as may be necessary to prevent such person leaving Canada.



## PART V

## ADMINISTRATION

500. (1) The Minister shall administer and enforce these regulations.

(2) There shall be an officer in the Department of Labour who shall be appointed by the Governor in Council, shall be called the Director of National Selective Service and shall hold office during pleasure.

(3) The Governor in Council may appoint such Associate Directors of National Selective Service as he deems necessary to assist in the administration and enforcement of these regulations.

(4) The Minister may appoint officers who shall be called National Selective Service Officers and he may designate the areas in which they shall perform their duties.

(5) Such other officers, clerks and servants as are necessary for the administration and enforcement of these regulations shall be appointed in the manner provided by law.

501. There shall be a National Selective Service Advisory Board of which the Minister and his deputy shall be chairman and vice-chairman, respectively, and which shall consist of the members of the Inter-Departmental Committee on Labour Co-ordination, P.C. 5922, 25/10/46 established by Order in Council P.C. 5886 dated the twenty-second day of October nineteen hundred and forty-two, members of the National War Labour Board established by the Wartime Wages Control Order and such other persons as the Minister may designate, to advise the Minister with reference to the utilization of manpower in the prosecution of the war and the administration and enforcement of these regulations.

502. The Governor in Council shall determine the remuneration to be paid to the Director and Associate Directors, and the remuneration to be paid to such other officers, clerks and employees as may be appointed under these regulations shall be determined in the manner provided by law.

503. The Minister may, in the manner provided by law, establish at any place in Canada such office or offices as are required for the administration of these regulations and may provide therefor the necessary accommodation, stationery, equipment and telephones.

504. The Minister may incur all expenses reasonably necessary for the proper administration and enforcement of these regulations and the cost thereof, including the remuneration of all officers and servants of the branch, shall be paid out of moneys provided for the purpose.

Minister's Powers

505. The Minister may -
- (a) prescribe anything which under these regulations is to be prescribed;
  - (b) prescribe such forms as he considers necessary for the administration of these regulations;
  - (c) prescribe the manner in which notices delivered pursuant to these regulations must be executed;
  - (d) revoke, cancel or vary any instruction, order, direction or form made or prescribed pursuant to these regulations;
  - (e) for the purpose of acquiring general or specific knowledge with reference to any person or group or class of persons or the manpower situation in Canada or any part of Canada, require, by order, that any person or group or class of persons complete and return to him such returns of information as he may specify or report at such place and at such time as he may specify and complete such forms and give such information in



- such manner as he may specify;
- (f) in consultation with the Department of Munitions and Supply and the Wartime Prices and Trade Board, classify, in such manner as he deems expedient, occupations, industries, firms or establishments according to essentiality in the prosecution of the war;
  - (g) by order, exclude any person or group or class of persons from the operation of Part II or Part III or qualify any of the provisions of Part II or Part III in its application to any person or group or class of persons;
  - (h) by order, require any employer or group or class of employers to keep such records as he deems necessary for the administration of these regulations;
  - (i) notwithstanding anything in any other law or regulation publish such notices and explanations as he may deem necessary for the proper administration and enforcement of these regulations;
  - (j) by order, require any employer or group or class of employers or all employers to terminate the employment of every male person in their employ who fails within a time specified in the order to produce such evidence as may be specified in the order that he has not contravened the provisions of The National Selective Service Mobilization Regulations; and
  - (k) by order, forbid the furnishing of a permit to seek employment to any male person who fails to produce such evidence as may be specified in the order that he has not contravened the provisions of the National Selective Service Mobilization Regulations.

General

506. Every person to whom any order is issued or who is required to do or abstain from doing anything by or pursuant to these regulations shall obey such order or do or abstain from doing such things as required.

507. (1) Throughout each day the Minister so requires, every Postmaster, Sheriff, Clerk of the Peace and Clerk or other officer of a Municipality shall cause to be kept posted in prominent places in his office and such other public Buildings throughout his district or municipality as the Minister may specify, and in such manner as the Minister may require, copies of any order, notice or announcement under these regulations.

(2) No person shall wilfully destroy, take down, tear or deface any copy of an order, notice or announcement posted under these regulations in any office or public place.

508. No person shall make any false statement or representation for the purpose of obtaining any permit under these regulations or of misleading any person engaged in the administration or enforcement of these regulations.

509. (1) No person shall by means of a written or printed communication, publication or article, or by an oral communication or by public speech or utterance;

- (a) counsel or advise any other person not to comply with any of the provisions of these regulations or of a notice or order given or made pursuant thereto; or



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(b) wilfully resist or impede, or attempt wilfully to resist or impede, or persuade or induce or attempt to persuade or induce any person or group or class of persons to resist or impede the operation or enforcement of these regulations.

(2) No person shall in any manner impede or prevent or attempt to impede or prevent any other person in the performance of his duties under these regulations.

510. No person shall, with intent to evade any provision in these regulations, destroy, mutilate, deface, alter, secrete or remove any book, record, or property of any kind.

GOVERNMENT OF CANADA  
PRIVY COUNCIL  
His Majesty's Privy Council  
Major-General the Right Honourable  
the Most Noble Order of the Garter  
Honourable Privy Council, Knights  
Order of the Bath, Grand  
Saint Michael and Saint  
Victorian Order, Com  
TO HIS EXCELLENCY  
2710



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PART VI

ENFORCEMENT

600. (1) Every Selective Service Officer, and every person authorized by the Minister to act as a Selective Service Inspector, may for the purpose of enforcing these regulations

- (a) enter at all reasonable times any premises or place, other than a private dwelling house not being a workshop, where he has reasonable grounds for supposing that any person is employed;
- (b) make such examination or inquiry as may seem to him to be necessary for ascertaining whether these regulations are being complied with;
- (c) examine orally, either alone or in the presence of any other person as he thinks fit, with respect to any matter arising under these regulations, every person whom he finds in any such premises or place or whom he has reasonable cause to believe to be or to have been in employment and may require every person so examined to sign a declaration of the truth of his statements on such examination; and
- (d) exercise such other powers as, in the opinion of the Minister, are necessary for enforcing these regulations.

(2) The occupier of any premises or place, other than a private dwelling house not being a workshop, any person having other persons in his employ, the servants and agents of any such occupier or person, and any employed person shall furnish to any Selective Service Officer or Inspector all such information, and he shall produce for inspection all such books, documents, papers and records, as the Selective Service Officer or Inspector may reasonably require.

(3) Every Selective Service Officer and Selective Service Inspector shall, on applying for admission to any premises or place under this section, have in his possession and produce if so required a certificate of his appointment signed by or on behalf of the Minister.

601. For the purposes of these regulations and of any proceedings taken thereunder, any notice or other communication sent through His Majesty's mails pursuant to these regulations shall be presumed, until the contrary is proven, to have been received by the addressee within eight clear days of the posting thereof and a certificate of such posting purporting to be signed by a Selective Service Officer shall be prima facie proof thereof.

602. (1) A certificate purporting to be signed by the Minister or by any person authorized to act in the Minister's place or on his behalf that anything has been done or omitted pursuant to or contrary to these regulations shall be prima facie proof that such thing has been done or omitted.

(2) A certificate purporting to be signed by the Minister, the Director, an Associate Director or a Selective Service Officer that he has, pursuant to these regulations, served any document or caused any document to be served shall be prima facie proof of the statements contained therein.



(3) A certificate purporting to be signed by the Minister or any person authorized to act in the Minister's place or on his behalf that a document is a true copy of any other document which is or has been in the possession of the Minister or any of the Officers or employees engaged in the administration or enforcement of these regulations shall be evidence of the statements contained therein and the copy shall be accorded in all courts, the same probative force as the original document or part thereof, of which it is a copy.

603. (1) Every person is a party to and guilty of an offence under these regulations who

- (a) actually commits it;
- (b) does or omits an act for the purpose of aiding any person to commit the offence;
- (c) abets any person in commission of the offence;
- or
- (d) counsels or procures any person to commit the offence.

(2) If several persons form a common intention to contravene any of the provisions of these regulations and to assist each other therein, each of them is a party to every offence under these regulations committed by any one of them in the prosecution of such common purpose, the commission of which offence was, or ought to have been known to be a probable consequence of the prosecution of such common purpose.

(3) Every one who counsels or procures another person to be a party to an offence under these regulations of which that person is afterwards guilty, is a party to that offence, although it may be committed in a way different from that which was counselled or suggested.

(4) If a corporation is guilty of an offence under these regulations, any officer or director of the corporation who assented to or acquiesced in the commission of the offence is a party to and guilty of the offence.

604. (1) In any prosecution under Part XV of the Criminal Code for a contravention of these regulations or of any regulations repealed by these regulations, the complaint shall be made, or the information laid, within one year from the time when the matter of the complaint or information arose.

(2) Notwithstanding the provisions of Part XV of the Criminal Code, a complaint or information in respect of any contravention of these regulations or of any regulations repealed by these regulations may be heard, tried or determined by any Police or Stipendiary Magistrate or any Justice or Justices of the Peace if the accused is found or apprehended or is in custody within his or their territorial jurisdiction although the matter of the information or complaint did not arise within his or their territorial jurisdiction.

605. Every person who contravenes any of the provisions of these regulations is guilty of an offence, and unless some penalty is expressly provided by these regulations for such contravention, liable on summary conviction for a first offence if an individual to a penalty of not more than five hundred dollars or to imprisonment for a term not exceeding twelve months or to both such fine and such imprisonment and if a corporation to a penalty of not more than two thousand five hundred dollars, and for any subsequent offence if an individual to a penalty of not more than one thousand dollars or to imprisonment for a term not exceeding two years or to both such fine and such imprisonment and if a corporation to a penalty of not more than five thousand dollars.



606. Every person is guilty of an indictable offence and liable to a fine not exceeding five thousand dollars and not less than five hundred dollars or to imprisonment for a term not exceeding five years and not less than six months or to both such fine and such imprisonment, who corruptly

- (a) makes any offer, proposal, gift, loan or promise or gives or offers any compensation or consideration, directly or indirectly, to a person concerned in the administration or enforcement of these regulations or having any duties to perform thereunder, for the purpose of influencing such person in the performance of his duties; or
- (b) being a person concerned in the administration or enforcement of these regulations or having any duties to perform thereunder, accepts or agrees to accept or allows to be accepted by any person under his control or for his benefit any such offer, proposal, gift, loan, promise, compensation or consideration.

607. Every person who, without lawful authority or excuse, makes any document purporting to be a notice of separation, a permit to seek employment or other document issued pursuant to the provisions of these regulations, or who, without lawful authority or excuse, alters a notice of separation, a permit to seek employment or other such document in any material part or makes any material addition, either by erasure, obliteration, removal or otherwise, is guilty of an offence and liable on summary conviction to a penalty of not more than one thousand dollars or to imprisonment for a term not exceeding two years or to both such fine and such imprisonment.



PART VII

Miscellaneous

700. (1) All persons appointed by or pursuant to Order in Council P.C. 2254 dated the twenty-first day of March, nineteen hundred and forty-two, Order in Council P.C. 2301 dated the twenty-third day of March, nineteen hundred and forty-two and Order in Council P.C. 10578 dated the nineteenth day of November, nineteen hundred and forty-two who are in the employ of His Majesty when these regulations come into force, shall be deemed to have been appointed pursuant to these regulations and the Minister shall have the control and supervision of all such persons.

(2) All officers, clerks and employees of the Department of Labour and the Unemployment Insurance Commission whose services are used in the administration or enforcement of these regulations, shall, for the purpose of these regulations, be deemed to have been appointed pursuant to these regulations.

701. If the Engineering Institute of Canada, the Canadian Institute of Mining and Metallurgy and the Canadian Institute of Chemistry consent, the Minister may utilize the Wartime Bureau of Technical Personnel, which is operated pursuant to Order in Council P.C. 780 dated the twelfth day of February, nineteen hundred and forty-one, for the administration of Part III; and in such event the said Bureau shall, without affecting the said Order in Council, be subject to the control and supervision of the Minister.

702. The Essential Work (Scientific and Technical Personnel) Regulations, 1942, The Selective Service Regulations, 1942, Order in Council P.C. 1445 dated the second day of March, nineteen hundred and forty-two, Order in Council P.C. 1955 dated the thirteenth day of March, nineteen hundred and forty-two, Order in Council P.C. 2254 dated the twenty-first day of March, nineteen hundred and forty-two, The Labour Exit Permit Order, Order in Council P.C. 9466 dated the sixteenth day of October, Nineteen hundred and forty-two and the University Science Students Regulations, 1942 are revoked.

703. All proceedings taken under any Order in Council or regulation revoked by these regulations shall, so far as consistently may be, be taken up and continued under and in conformity with the provision of these regulations, if any, substituted for the regulation or Order in Council so repealed.

704. (1) All permits, consents, instructions, directions, determinations, decisions, notices and orders granted, given, served or made under any Order in Council or regulation revoked by these regulations shall, as far as applicable, be deemed to have been granted, given, served or made, mutatis mutandis under these regulations and all forms which have been prescribed for use under any such Order in Council or regulation shall be deemed to have been prescribed for use in similar cases under these regulations until replaced by forms prescribed by the Minister.

(2) The forms annexed to the Labour Exit Permit Order shall be deemed to have been prescribed for use under Part IV until replaced by forms prescribed by the Minister.

(3) When a Selective Service Officer has, prior to the coming into force of these regulations, made an arrangement for any payment under section twenty-five of The National Selective Service Regulations, 1942, and such payment has not been made before these regulations come into force, it may be made in accordance with such arrangement.

705. These regulations shall come into force on the ~~fifteenth~~ day of January, nineteen hundred and forty-three.

W.M. Nineteenth  
J.J.



SCHEDULE "A"

1. A person who is normally engaged in the engineering profession in a consulting, technical or supervisory capacity in design, construction, manufacture, operation or maintenance and who has had a regular professional training in practice and in theory as an engineer in any of the following branches of engineering: civil, mechanical, electrical, chemical, metallurgical and mining.

2. A production, industrial or other engineer or chemist who normally holds in an engineering works or manufacturing establishment a position of authority involving responsibility for any phase of executive management or control of any technical function.

3. A person who has obtained a degree at any Canadian or other recognized university and who is normally engaged as a teacher of engineering science or of any branch of science at a university or technical college.

4. A person who has been trained, or who is or has been normally engaged, in the practice of any branch of the science of chemistry but not including a registered pharmacist.

5. A research scientist, that is, a person who, by training or practice, is skilled in the independent search for new knowledge of the properties of matter or energy.

6. A person, other than a teacher, who has obtained a degree at any Canadian or other recognized university in Engineering, Chemistry, Physics, Geology, Mathematics, Architecture or in any natural science, or who is a technically qualified member of the Engineering Institute of Canada, the Canadian Institute of Chemistry, the Canadian Institute of Mining and Metallurgy, the Royal Architectural Institute of Canada or of any provincial association of professional Engineers, Chemists or Architects.

7. A person, or a group or class of persons, not in the classes described above, possessing, in the opinion of the Minister, technical qualifications and skill which are needed in essential work.



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2710  
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 HONOURABLE

T. A. CRERAR  
J. H. KING  
J. L. RALSTON  
I. A. MACKENZIE  
C. G. POWER  
J. L. ILSLEY  
J. E. MICHAUD  
C. D. HOWE  
J. G. GARDINER  
N. A. McLARTY  
J. A. MacKINNON  
W. P. MULLOCK  
COLIN GIBSON  
A. L. MACDONALD  
L. S. ST. LAURENT  
H. MITCHELL  
A. FOURNIER  
E. BERTRAND  
L. R. LAFLECHE

APPROVED.  
19 JANUARY 1943

*May it please Your Excellency*



His Majesty's Privy Council  
 the Honourable Privy Council  
 the Most Noble Order of the Garter  
 the Order of the Bath, Grand Cross  
 the Order of the British Empire  
 the Order of the Companions of Honour  
 the Order of the Victoria and Albert Medal  
 the Order of the Royal Victorian Medal  
 the Order of the Royal Victorian Order  
 the Order of the Royal Victorian Order, 4th Class  
 the Order of the Royal Victorian Order, 5th Class  
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The Proceedings of a Meeting of the Committee  
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 January, 1943, contained in this Report, comprising  
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are submitted for Your Excellency's approval.

Government House,  
 Ottawa.

*Approved*  
*Atblome.*  
 19. 1. 43.

Submitted for Your Excellency's information.  
 P.C. 323  
 P.C. 472



P.C. 469

*Amended by R.C. 271-23-1-47  
Revised by P.C. 5638, 27-1-49*

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AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 19th day of JANUARY, 1943

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL.

*22 Jan. 1943*

WHEREAS by Order in Council dated 29th June, 1942, (P.C. 5523) amended by Order in Council dated 4th August, 1942, (P.C. 6885) Regulations were made imposing certain duties and responsibilities on the Director of Soldier Settlement of Canada in relation to agricultural lands owned by persons of the Japanese race ordinarily resident in the protected areas of British Columbia;

AND WHEREAS the Secretary of State reports that the appraisals of lands contemplated by the said Order in Council as amended have been made and that it is the opinion of the Minister of Mines and Resources, to whom the Director of Soldier Settlement of Canada reports under the said Order in Council as amended, that the said Order in Council as amended, should be revoked;

*M. + R.  
S. S. M.  
P. + M. A.  
Lebow  
Kich.  
Kearns  
P. + M.*

That by Order in Council, dated 20th July, 1942, (P.C. 6247) it was provided that on and after the 1st August, 1942, all unfinished business of the Committee under the Chairmanship of the Honourable Mr. Justice Sidney A. Smith of Vancouver, appointed by Order in Council of 13th January, 1942, (P.C. 288) in respect of vessels or equipment vested in the Custodian under the said Order should be transferred to the Custodian, and the Custodian was vested with all vessels and equipment which had not been disposed of under the supervision of the said Committee;

That since the transfer was effected, question has been raised as to the authority of the Custodian to deal with unfinished business of the said Committee in relation to vessels or equipment disposed of prior to the 1st August, 1942, and it is expedient to remove any doubts in this respect;

That by Orders in Council relating to the property of persons of the Japanese race evacuated from the protected areas of British Columbia, the Custodian has been vested with the responsibility of controlling and managing property belonging to persons of the Japanese race who have been evacuated from the protected areas, except deposits of money, shares of stock, debentures, bonds or other securities or other property which

*Canadian War & Regime  
Vol. 1 No. 3, 1943 p 224.*



the owner on being evacuated from the protected areas was able to take with him; and

That the evacuation of persons of the Japanese race from the protected areas has now been substantially completed and that it is necessary to provide facilities for liquidation of property in appropriate cases.

THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Secretary of State, concurred in by the Minister of Mines and Resources, the Minister of Pensions and National Health, the Minister of Labour and the Minister of Fisheries, and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to order and doth hereby order as follows:

1. Order in Council, dated 29th June, 1942, (P.C. 5523) and amending Order in Council dated 4th August, 1942, (P.C. 6885) are hereby revoked.

2. Paragraphs numbered 3 and 4 in Order in Council dated 20th July, 1942 (P.C. 6247) are hereby rescinded and the following are substituted therefor:

3. The Custodian may, where he considers it advisable so to do, liquidate, sell or otherwise dispose of any such vessel or equipment on such terms and conditions as he deems advisable; and any agreement entered into or document executed by the Custodian on or after August 1, 1942, and prior to the date of this Order, purporting to be an agreement for, or to be, a transfer, conveyance or other disposition of any such vessel or equipment or of any right, title or interest therein is hereby given full legal validity, force and effect as if the Custodian had full power to enter into such agreement or to execute such document, and as if such vessel or equipment or such right, title or interest therein, as the case may be, had been vested in the Custodian, at the time of the entry into such agreement or the execution of such document.

4. Without restricting the generality of the powers hereinbefore conferred, all unfinished business of the said Committee is hereby transferred to the Custodian and shall be deemed to have been so transferred as on and from the 1st August, 1942.

Wherever, under Orders in Council under the War Measures Act, Chapter 206 of the Revised Statutes of



P.C. 469

- 3 -

Canada 1927, the Custodian has been vested with the power and responsibility of controlling and managing any property of persons of the Japanese race evacuated from the protected areas, such power and responsibility shall be deemed to include and to have included from the date of the vesting of such property in the Custodian, the power to liquidate, sell, or otherwise dispose of such property; and for the purpose of such liquidation, sale or other disposition the Consolidated Regulations Respecting Trading with the Enemy (1939) shall apply mutatis mutandis as if the property belonged to an enemy within the meaning of the said Consolidated Regulations.

*W. Curran*

*Approved,*

*Athlone*

JAN 19 1943

GOVERNMENT  
His Majesty's  
Victorian Order,  
Saint Michael and  
Order of the Bath,  
Honourable Privy Council  
the Most Noble Order of the  
Major-General the Right Hon

TO HIS EXCELLENCY  
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