

Contents
Contenu

MAY 31 |

TO

JUNE 7

1943

RG 2 1806



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RG 2

1806

2803 G

U.I. 1554

7 June 1943

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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
I. A. MACKENZIE
J. L. ILSLEY
J. E. MICHAUD
C. D. HOWE
J. G. GARDINER
N. A. McLARTY
J. A. MacKINNON
W. P. MULOCK
COLIN GIBSON
A. L. MACDONALD
L. S. ST. LAURENT
H. MITCHELL
A. FOURNIER
L. R. LAFLECHE

7 APPROVED

JUNE 1943

May it please Your Excellency

MAJOR-GENERAL THE MOST NOBLE PRINCE OF WALES
the Honourable Prince of Wales
Order of the Garter
Saint George
Victory
CANADA
PRIVY COUNCIL

The Proceedings of a Meeting of the Committee
of the Privy Council held on the seventh day of
June, 1943, contained in this Report, comprising
items numbered:

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|-----------|-----------|-----------|
| P.C. 2636 | P.C. 4638 | P.C. 4671 |
| P.C. 4600 | P.C. 4639 | |
| P.C. 4608 | P.C. 4640 | |
| P.C. 4609 | P.C. 4641 | |
| P.C. 4610 | P.C. 4642 | |
| P.C. 4611 | P.C. 4643 | |
| P.C. 4612 | P.C. 4644 | |
| P.C. 4613 | P.C. 4645 | |
| P.C. 4614 | P.C. 4646 | |
| P.C. 4615 | P.C. 4647 | |
| P.C. 4616 | P.C. 4648 | |
| P.C. 4617 | P.C. 4649 | |
| P.C. 4618 | P.C. 4650 | |
| P.C. 4619 | P.C. 4651 | |
| P.C. 4620 | P.C. 4652 | |
| P.C. 4621 | P.C. 4653 | |
| P.C. 4622 | P.C. 4654 | |
| P.C. 4623 | P.C. 4655 | |
| P.C. 4624 | P.C. 4656 | |
| P.C. 4625 | P.C. 4657 | |
| P.C. 4626 | P.C. 4658 | |
| P.C. 4627 | P.C. 4659 | |
| P.C. 4628 | P.C. 4661 | |
| P.C. 4629 | P.C. 4662 | |
| P.C. 4630 | P.C. 4663 | |
| P.C. 4631 | P.C. 4664 | |
| P.C. 4632 | P.C. 4665 | |
| P.C. 4633 | P.C. 4666 | |
| P.C. 4634 | P.C. 4667 | |
| P.C. 4635 | P.C. 4668 | |
| P.C. 4636 | P.C. 4669 | |
| P.C. 4637 | P.C. 4670 | |

are submitted for Your Excellency's approval.

Government House,
Ottawa.

Approved

Atholson

7. 6. 43

AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 7th day of JUNE, 1943.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

His Excellency the Governor General in Council, on the recommendation of the Minister of Mines and Resources, is pleased to amend Order in Council P.C. 10472 of November 19, 1942, relating to agreements under The Soldier Settlement Act, and it is hereby amended by striking out subparagraph (b) of paragraph 1 thereof and substituting therefor the following:

"(b) make application to the Director for a reduction of his indebtedness to the Director, and the Treasury Board may, if such is the recommendation of the Director, reduce such indebtedness, provided, however, that the recommendation made by the Director shall be based upon the amount which in his judgment constitutes the present and prospective productive value of the land; the effective date of reduction if any shall be the standard date in 1942."

June 8.
2 M.R.
1 Finance
1 P.M.
1 Kearns
2 G.Y.
2 Camps.

Canadian War O. & Reg. no
Vol II no 10, 14-6-43 p. 557.

W. C. ...
Approved.
A. C. ...

JUN 7 1943

PRIVY COUNCIL
the Most Noble
Order of the
Saint
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JUNE 1943

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are submitted for Your Excellency's approval.

Government House,
Ottawa.

Approved

Atchison

7. 6. 43



Major-General the Honourable P. V. ...

P/6

P.C. 4600

Amended by P.C. 6713 - 25-8-44

2.

AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 7th day of JUNE, 1943

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS the Minister of Justice reports that a very large proportion of the prosecutions for breaches of wartime regulations are conducted under Part XV of the Criminal Code, relating to summary convictions, for the reason that in these cases it is of great importance that conviction and punishment should follow quickly upon the commission of the offence and for this reason proceedings by way of summary conviction are resorted to in preference to proceedings by way of indictment; and

June 2

THAT under Part XV aforesaid trials are conducted by magistrates or justices of the peace, and there is an appeal to or a trial de novo by a judge of the county or district court (in the Province of Quebec, a judge of the Court of King's Bench, Crown Side), and the decision of such appellate judge is final;

*1 Klarno
1 Justice
1 P.M.*

AND WHEREAS the Minister further reports that, in many of these prosecutions under Part XV aforesaid, questions of law of first rate importance are not infrequently raised relating to the validity and the construction of wartime regulations and it has been represented to him that, in the interest of uniformity of decisions as well as the true construction of all wartime regulations, further appeals should be allowed to the provincial courts of appeal and the Supreme Court of Canada wherever, in the opinion of the court to be appealed to, an important question of law or of mixed law and fact is raised.

AND WHEREAS it is deemed necessary or advisable for the security, defence, peace, order and welfare of Canada that such appeals be provided for;

THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, and under and by virtue of the powers vested in the Governor in Council by the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to make the following regulations and they are hereby made and established accordingly,-

*Canadian War Measures
Vol II No 10, 14-6-43 p. 581.*

Regulations/

Major-General the Most Noble Order of Saint Victor
Canada
Privy Council

P.C. 4600

2.

-2-

- REGULATIONS -

1. In these regulations, unless the context otherwise requires, -

(a) "court of appeal" means, in the province in which an offence is alleged to have been committed, the court designated in paragraph (7) of section 2 of the Criminal Code as the court of appeal for that province;

(b) "wartime regulations" means any regulations or orders made under the authority of the War Measures Act.

2. In any proceedings under Part XV of the Criminal Code for an offence against wartime regulations, an appeal from a judgment of the county or district court judge or, in the Province of Quebec, the judge of the Court of King's Bench, Crown Side, on any ground of appeal which involves a question of law or of mixed law and fact shall lie to the court of appeal by leave of such court.

3. A further appeal from a judgment or decision of the court of appeal shall lie to the Supreme Court of Canada by leave of such court.

4. No application for leave to appeal made under either of the two next preceding sections shall be entertained except within twenty-one days from the date of the judgment or decision appealed from or within such further period as the court applied to may, for special reasons, allow.

5. Subject as herein otherwise provided, the procedure upon any such appeal to the court of appeal and the powers of the court of appeal, including the power to grant a new trial, shall, mutatis mutandis, so far as the same are applicable to such an appeal, be the procedure prescribed and the powers given by sections 1012 to 1021 inclusive of the Criminal Code and the rules of court passed pursuant thereto and to section 576 of the Criminal Code.

6. Sections 1023 to 1025 inclusive of the Criminal Code shall, insofar as the same are not inconsistent with this regulation, apply to any appeal to the Supreme Court of Canada taken pursuant to this regulation.

7. The Attorney General of Canada shall have a right to appeal in any case where the Attorney General of the province in which the offence is alleged to have been committed has such right.

Approved.

Acheson.

J. Acheson

JUN 7 1943