

WARTIME ORDERS IN COUNCIL

relating to

DEPARTMENT OF LABOUR

Hon. Humphrey Mitchell
Minister

J - JAPANESE AND OTHER ALIENS

<u>No. and Date</u>	<u>Subject or Title</u>	<u>Ref.</u>
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P.C. 1665

As amended by P.C. 2483, March 27, 1942, 2541,
March 30, 1942, and P.C. 3213, April 21, 1942.

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 4th day of MARCH, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS in view of the serious situation prevailing in the Province of British Columbia arising out of the war with Japan it is deemed necessary for the security and defence of Canada to take further steps for the evacuation of persons of the Japanese race from the protected areas in that Province;

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Right Honourable W.L. Mackenzie King, the Prime Minister, and under and by virtue of the powers conferred by the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to make the following regulations and they are hereby made and established accordingly:

Interpretation

1. (1) In these Regulations unless the context otherwise requires -
 - (a) "Commission" means the British Columbia Security Commission established under the provisions of this Order.
 - (b) "Minister" means the Minister of Labour.
 - (bb) "Person of the Japanese race" means any person of the Japanese race required to leave any protected area of British Columbia by Order of the Minister of Justice under Regulation 4, as amended, of the Defence of Canada Regulations (Consolidation), 1942.
 - (c) Other words and phrases shall have the same meaning as in the Defence of Canada Regulations.

British Columbia Security Commission

2. (1) There shall be a Commission, to be known as the British Columbia Security Commission which shall consist of three members, a Chairman and two Commissioners, who shall hold office during pleasure.

(2) The members of the Commission shall be appointed by the Governor in Council, on the recommendation of the Minister, and shall be paid such remuneration and allowances as may be fixed by the Governor in Council;

(3) Except as otherwise herein provided any act of the Commission shall require the concurrence of all members of the Commission.

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(4) Where for any reason any member of the Commission is unable to act, the Minister may appoint temporarily a substitute member, upon such terms and conditions as he may determine.

(5) The headquarters of the Commission shall be at a place selected by it in the Province of British Columbia, and meetings of the Commission may be held at the headquarters, or at such other place in British Columbia or elsewhere, as the Chairman may decide.

(6) The members of the Commission shall take and subscribe an oath before any Superior Court judge in the Province of British Columbia, which shall be filed in the office of the Clerk of the Privy Council, and which shall be in the following form:

"I solemnly and sincerely swear that I will faithfully and honestly fulfil the duties which devolve upon me as a member of the British Columbia Security Commission."

3. The Commission may, with the approval of the Minister, make by-laws not inconsistent with the provisions hereof, for the direction, conduct and government of its business.

4. Every document purporting to be or to contain a by-law, order or other instrument of the Commission, and purporting to be signed by the Chairman, shall be evidence of such by-law, order or other instrument.

5. (1) The Commission may, with the approval of the Minister, employ such professional technical and other officers, clerks and employees as it may deem necessary for the proper conduct of its affairs, and may, with the approval of the Governor in Council, fix their remuneration.

(2) The Commission may utilize the services of any officer, servant or employee of any department of the Government of Canada loaned by the Minister thereof.

6. (1) The Commission may enter into contracts, and hold property, real or personal, and shall be deemed to have the powers necessary to perform the duties assigned to the Commission, including all powers incidental to the performance of the said duties.

(2) The Commission may sue, and, with the consent of the Attorney General of Canada, be sued in its own name, in respect of its own acts, but such proceedings shall only be taken in the Exchequer Court of Canada.

(3) The Commission shall in all matters, including those relating to the responsibility of the members of the Commission for the acts of any servant or agent of the Commission, be deemed to be an agent of the Crown.

7. (1) No transaction shall be entered into by the Commission involving an expenditure in excess of fifteen thousand dollars, except with the approval of the Governor in Council.

(2) No real property shall be purchased by the Commission except with the approval of the Governor in Council.

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8. The Commission may enter into any arrangement with any department of the Government of Canada or of the Government of the Province of British Columbia for the use of or occupation of any Dominion or Provincial Crown Lands.

Advisory Committee

9. (1) There shall be appointed by the Governor in Council an Advisory Committee to the British Columbia Security Commission, to consist of not more than twenty members, to advise the Commission on all matters relating to the duties of the Commission.

(2) Meetings of the said Advisory Committee may be called by the Chairman of the Commission.

(3) Any member of the said Advisory Committee may be paid his actual reasonable disbursements incurred in connection with the performance of the work of the Advisory Committee.

Duties and Powers of Commission

10. (1) It shall be the duty of the Commission to plan, supervise and direct the evacuation from the protected areas of British Columbia of all persons of the Japanese race.

(2) For the purpose of performing the duties aforesaid the Commission shall determine the time and order of the evacuation of such persons, the mode of transport and all matters relative to the placement of such persons.

(3) The Commission shall provide for the housing, feeding, care and protection of such persons in so far as the same may be necessary.

(4) A plan or plans for the evacuation and placement aforesaid shall be submitted to the Minister, and shall be put into operation by the Commission when approved by the Minister.

(5) Any such plan or plans shall make provision for the temporary placement only of such persons during the continuation of the state of war now existing.

(6) The Commission's authority relative to the placement of persons shall include power to vary or amend any placement order.

(7) Any plan or plans, approved as aforesaid, may authorize the Commission to enter into an agreement with the Government of any Province relative to the placement in such Province of persons of the Japanese race evacuated from the protected areas of British Columbia under the provisions of these regulations, and any such agreement may provide that any such persons will be removed from such Province upon the termination of the state of war now existing between Canada and Japan.

11. (1) The Commission shall have power to require by order any person of the Japanese race, in any protected area in British Columbia, to remain at his place of residence or to leave his place of residence and to

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proceed to any other place within or without the protected area at such time and in such manner as the Commission may prescribe in such order, or to order the detention of any such person, and any such order may be enforced by any person nominated by the Commission so to do.

(2) The Commission may make orders respecting the conduct, activities and discipline of any person of the Japanese race who is within any protected area or who is ordinarily resident within any protected area but who has left or leaves such area after February 5th, 1942.

(3) Subject to approval by the Minister of Labour the Commission may (a) issue or arrange for the issuing of direct relief, including necessary medical attention to any indigent persons of the Japanese race located either within or without any protected area of British Columbia; (b) employ persons of the Japanese race in clearing stations or otherwise; (c) arrange for the care of dependents resident in Canada, including dependent parents, or persons of the Japanese race who are employed under sub-section (b) above, under P.C. 1348 of February 19, 1942 or otherwise, by means of wage assignments or wage deductions by or from those so employed, or otherwise; and, subject as aforesaid, the Commission may make, from time to time, administrative regulations not inconsistent with these regulations for any of the purposes of this sub-section.

12. (1) Subject as hereinafter in this Regulation provided, a protective measure only, all property situated in any protected area of British Columbia belonging to any person of the Japanese race (excepting fishing vessels subject to Order in Council P.C. 288 of the 13th January, 1942, and deposits of money, shares of stock, debentures, bonds or other securities), delivered up to any person by the owner pursuant to an order of the Minister of Justice, or which is turned over to the Custodian by or on behalf of the owner, or which the owner, on being evacuated from the protected area, is unable to take with him, shall be vested in and subject to the control and management of the Custodian as defined in the Regulations respecting Trading with the Enemy, 1939; provided, however, that no commission shall be charged by the Custodian in respect of such control and management.

(2) The Custodian may, notwithstanding anything contained in the Regulation, order that all or any property whatsoever situated in any protected area of British Columbia, belonging to any person of the Japanese race shall, for the purpose of protecting the interest of the owner or any other person be vested in the Custodian, and the Custodian shall have full power to administer such property for the benefit of such interested persons, and shall release such property upon being satisfied that the interests aforesaid will not be prejudiced thereby.

(3) For the purposes of the control and management of such property by the Custodian, the Consolidated Regulations respecting Trading with the Enemy, 1939, shall apply mutatis mutandis to the same extent as if such

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P. C. 1665

Property, belonged to any enemy within the meaning of the said Consolidated Regulations.

Departmental Assistance

15. All departments and agencies of the Government of Canada shall assist the Commission by lending to the Commission such personnel and by furnishing such medical aid, hospitalization, food, clothing, transportation, use of land, buildings, equipment, utilities and other supplies and services as are available, and may be required by the Commission, and in particular, but without restricting the generality of the foregoing, there shall be furnished to the Commission,-

- (a) assistance by the Royal Canadian Mounted Police in the compiling of information concerning the persons to be evacuated under these Regulations in the segregation and concentration of such persons and in the maintenance of public security in respect thereof.
- (b) assistance by the Department of Transport in the transportation of persons evacuated under these Regulations.
- (c) assistance by the Department of National Defence by furnishing personnel to advise on and assist in the housing, feeding and clothing of persons evacuated under these Regulations.
- (d) assistance by the Department of Munitions and Supply in advising upon and entering into contracts or other arrangements to provide housing, food, supplies and services for such persons.
- (e) assistance by the Royal Canadian Mounted Police and/or the Department of National Defence in the protection of persons evacuated under these Regulations and in the maintenance of public security in respect thereof.
- (f) assistance by the Department of Labour in establishment of work camps and in providing employment, and in particular in the absorption of evacuated persons in the Canadian Japanese Construction Corps constituted by Order in Council P.C. 1271 of February 17th, 1942, or in the work camps established under Order in Council P.C. 1348 of February 19th, 1942, or in any other activity in which such persons can be employed without prejudice to the public safety or the safety of the State, outside the protected areas in British Columbia.

Provided, however, that notwithstanding the provisions of these Regulations any minister responsible for the administration of any of the Departments or agencies of the Government shall have the right to determine whether or not any item of assistance requested can be made available.

Expenses

14. All expenses or costs incurred by the Commission or by any department or agency of the Government of Canada in connection with the enforcement or administration

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of these Regulations shall be payable out of moneys appropriated by Parliament to carry out measures deemed necessary in consequence of the existence of a state of war.

Offences

15. Every person who contravenes or fails to comply with any of these Regulations or any order or by-law made under any of these Regulations shall be guilty of an offence, and liable, on summary conviction, to a fine not exceeding five hundred dollars, or to imprisonment for a term not exceeding twelve months, or to both such fine and such imprisonment.

16. Nothing contained herein shall be construed to limit or derogate from the powers conferred on any authority other than the Commission by the Defence of Canada Regulations or any other statute or law.

Sgd. A.D.P. Heeney

Clerk of the Privy Council.

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P. C. 1348

As amended by P.C. 6758, July 31, 1942 and
P.C. 8173, Sept. 11, 1942

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 19th day of FEBRUARY, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS, under authority of the Defence of Canada Regulations (Consolidation) 1941 as amended by Order in Council P.C. 365 dated January 16, 1942, a protected area has been established in British Columbia;

AND WHEREAS it is deemed to be in the interest of national security that certain male enemy aliens, including Japanese Nationals, be removed from said area and employed in other localities. *and/or other persons of Japanese racial origin,*

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Labour and the Minister of Mines and Resources 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:-

The Minister of Mines and Resources is hereby authorized to establish work camps for male enemy aliens, including Japanese Nationals, on projects located outside of protected areas, that would be of national benefit and to make necessary arrangements for the maintenance, care, and employment of said aliens, including Japanese Nationals, who may be allocated to such camps by the Minister of Labour, and for the supervision of the work to be there undertaken;

The projects shall be such as are approved by the Minister of Labour from time to time, with the concurrence of the Minister of Mines and Resources, and, the Minister of Labour may upon such terms and conditions as may be agreed upon enter into agreements with any of the provinces or any corporation or individual in respect to the employment of said enemy aliens, including Japanese Nationals, on any other projects approved by the Minister of Labour with the concurrence of the Minister of Mines and Resources;

and/or other persons of Japanese racial origin,

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The remuneration of the said aliens, including Japanese Nationals, shall be on the basis of an eight-hour working day and a forty-eight-hour week at 25 cents per hour for unskilled labour and the Minister of Labour shall have authority to make regulations, as required from time to time, in respect to wage schedules, hours of labour, medical inspection and to the extent of medical care, hospitalization, unemployment insurance contributions and workmen's compensation benefits which shall be available to enemy aliens, including Japanese Nationals, when employed on the works projects of which he has approved, or when employed by the British Columbia Security Commission anywhere in Canada;

and/or other persons of Japanese racial origin,

The said aliens, including Japanese Nationals, employed under authority of this Order, who have dependents resident in Canada shall be required to assign twenty dollars from their monthly earnings for the maintenance of the said dependents and the Dominion, upon approval of the Minister of Labour, may pay in addition an allowance of not more than five dollars a month for each dependent child of an employed alien but such payments shall not be made in respect of more than five dependent children in any one family;

or when employed by the British Columbia Security Commission anywhere in Canada

The said enemy aliens, including Japanese nationals, when employed as aforesaid, shall be deemed to be employees within the meaning of that term as defined in the Government Employees Compensation Act for all purposes other than the payment of compensation for temporary disability, but allowing in all temporary disability cases necessary first aid, medical and hospitalization expenses and in all other cases compensation not in excess of two-thirds of the average weekly earnings of the employee regardless of any minimum rate of compensation, statutory or otherwise, which may be in effect in any province at any time;

and/or other persons of Japanese racial origin,

The Minister of Labour is hereby authorized to make such arrangements with the Minister of Justice as may be necessary from time to time to insure the proper conduct and control of enemy aliens, including Japanese Nationals, employed as aforesaid outside the aforementioned protected area;

Any expenditures incurred in connection with the aforementioned removal, maintenance, care, and employment of the said enemy aliens, including Japanese Nationals, shall be met from funds provided from time to time from the War Appropriation Vote.

Sgd. A.D.P. Heeney

Clerk of the Privy Council.

CERTIFIED TO BE A TRUE COPY OF A MINUTE OF A MEETING OF
THE COMMITTEE OF THE PRIVY COUNCIL APPROVED BY HIS
EXCELLENCY THE GOVERNOR GENERAL ON THE 18th DAY OF
AUGUST, 1942.

The Committee of the Privy Council have had before them a report dated 18th August, 1942, from the Minister of Labour stating that the British Columbia Security Commission now functioning under Orders in Council dated Mar. 4, 1942 (P.C. 1665 and 1666) has submitted to him under regulation 10 of said P.C. 1665 further details in the progressive development of plans for evacuation of enemy aliens from the protected area of British Columbia; said plans having been outlined in and approved by Orders in Council P.C. 2616, dated April 1, 1942, P.C. 5633, dated June 29, 1942 and P.C. 5965, dated July 10 1942, all of which Orders in Council authorized the British Columbia Security Commission to extend a total sum not in excess of \$205,000.00 in evacuating persons of the Japanese race from the protected areas of British Columbia to abandoned Mining Camp towns, villages and settlements in the interior of British Columbia, such as Slocan, Kaslo, Sandon, Greenwood and other points. These Orders in Council included the necessary authority to acquire and/or provide necessary year-round accommodation in such places to adequately house and protect the aforesaid groups and to recondition such housing so acquired, and also the purchase of one thousand tents;

That it was found impossible to maintain the number of men in work camps as was originally planned owing to the fact that the camps were located close to railways over which were transported large amounts of war material, and that in addition, it develops that the placement of enemy alien families of Japanese origin on farms in the western provinces and Ontario will take some time because the aforementioned people have developed an apathetic attitude towards securing employment and are taking little interest in obtaining work, preferring to live in communities amongst their own people.

The Minister further states that the British Columbia Security Commission requests that authority be given to undertake the following:--

1. The building of approximately nine hundred small houses, in addition to the two hundred already built, which will cost approximately \$350.00 each,
2. The provision of hospital facilities.
3. To provide other improvements, such as staff accommodation, sidewalks, toilet facilities, recreation centres, etc.
4. The development of some plan for education of approximately five thousand children.

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P.C. 7387

5. The opening of trading stores at these settlements, for the purpose of receiving surplus farm products produced by persons of the Japanese race and disposing of same, and conducting a general store business for these people.

The Minister, therefore, recommends that authority be granted under the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, to charge any cost incurred by the British Columbia Security Commission in the development of plans outlined herein approved of by the Minister of Labour, not in excess of \$550,000.00, in carrying out all or any of the purposes referred to above, to moneys allotted from the War Appropriation 1942-43 for the evacuation from the protected areas in the Province of British Columbia of persons of the Japanese race and that said sum be in addition to the amounts authorized by Orders in Council, P.C. 2616 of the first of April, 1942, P.C. 5533 of the 29th June, 1942 and P.C. 5965 of the 10th July, 1942.

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

(SGD) A. D. P. Heeney

Clerk of the Privy Council.

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Order in Council establishing regulations re provision for the administration relative to the further placement, control and maintenance of persons of the Japanese race in Canada.

P. C. 946

As amended by P.C. 9743, Dec 24, 1943
AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 5th day of FEBRUARY, 1943.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS by Order in Council P.C. 1665 of March 4, 1942, the British Columbia Security Commission was established to plan, supervise and direct the evacuation from the protected areas of British Columbia of all persons of the Japanese race required to leave such areas by Order of the Minister of Justice under Regulation four of the Defence of Canada Regulations (Consolidation) 1941, as amended, and the placement and maintenance of such persons;

AND WHEREAS the Minister of Labour reports that the evacuation and initial placement of such persons has been substantially carried out and it is desirable to relieve the members of the said Commission, who are acting without remuneration, of responsibility for the administration relative to the further placement, control and maintenance of such persons;

AND WHEREAS it is deemed advisable, by reason of the state of war now existing, for the order and welfare of Canada to make provision for such administration and for the control of persons of the Japanese race in Canada;

THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Labour, and under the authority of the War Measures Act, Chapter 206 Revised Statutes of Canada, 1927, is pleased to make the following Regulations and they are hereby made an established accordingly.

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DEFINITIONS

1. (1) In these Regulations, unless the context otherwise requires,
- (a) "Advisory Board" or "Board" means the Advisory Board established by these Regulations;
 - (b) "Commission" means the British Columbia Security Commission established by Order in Council P.C. 1665 of March 4, 1942;
 - (c) "Commissioner" means the Commissioner of Japanese Placement appointed pursuant to these Regulations;
 - (d) "Deputy Minister" means the Deputy Minister of Labour;
 - (e) "Minister" means the Minister of Labour;
 - (f) "person of the Japanese race" means any person wholly or partly of the Japanese race required to leave any protected area of British Columbia by order of the Minister of Justice under regulation four of the Defence of Canada Regulations (Consolidation) 1942, as amended, and who is within any such protected area or who was ordinarily resident within any protected area but who has left or leaves such area after February 5, 1942;
 - (g) other words and phrases shall have the same meaning as in the Defence of Canada regulations.

(2) The Interpretation Act and every provision thereof shall be applicable to and in respect of every order, rule or regulation made by the Minister pursuant to these Regulations except insofar as any such provision is inconsistent with the intent or object of such order, rule or regulation, or would give to any word, expression or clause thereof an interpretation repugnant to the subject matter or the context, or is in any such order, rule or regulation, declared not applicable thereto.

Duties of the Minister

2. It shall be the duty of the Minister to plan, supervise and direct the evacuation from the protected areas of British Columbia of all persons of the Japanese race and the placement and control of such persons elsewhere in Canada and to take such measures as he deems necessary to provide or to arrange for the transportation, housing, feeding, care, protection, employment and welfare of such persons.

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P. C. 946
Powers of the Minister
The Minister may -

5. (1) (i) determine the time and order of the evacuation from any protected areas of British Columbia of persons of the Japanese race and their mode of transportation in such evacuation;
- (ii) determine from time to time the localities in which persons of the Japanese race shall be placed or may reside;
- (iii) take such measures as he deems advisable to provide or to arrange for the transportation, housing, feeding, care, protection, employment and welfare of persons of the Japanese race;
- (iv) employ persons of the Japanese race for such purposes at such rates of wages and on such terms and conditions as he deems advisable;
- (v) take such measures as he deems advisable to provide or to arrange for the care of dependents resident in Canada, including therein dependent parents, of any person of the Japanese race who is engaged in employment pursuant to these Regulations or pursuant to the provisions of Order in Council P.C. 1348 of February 19, 1942, or otherwise, by requiring such person to assign a portion of his wages, or by making deductions or requiring deductions to be made from his wages, or otherwise, and for such purpose may make such orders or regulations as he deems advisable;
- (vi) take such measures as he deems advisable to provide or to make arrangements for the provision of direct relief, including necessary medical services, to any indigent person of the Japanese race;
- (vii) require, by order, any person of the Japanese race in any place in Canada to proceed to any other place in Canada at such time and in such manner as he may prescribe;
- (viii) make orders, rules or regulations respecting the conduct, activities or discipline of persons of the Japanese race as defined in these Regulations, or of other persons resident anywhere in Canada who are wholly of the Japanese race, or who have a father or a mother who is or was wholly of the Japanese race, and may by order prohibit such persons of the Japanese race or such other persons, from engaging in any activities, employment or business, or in any specified activities, employment or business, in Canada, from moving or travelling anywhere in Canada, from residing in any place in Canada or from associating or communicating with any persons, except subject to a permit issued by or on behalf of the Minister and on such terms and conditions as may be prescribed by him or by any person authorized to act on his behalf under these Regulations.

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Enforcement

4. (1) Any person who contravenes or omits to comply with any of these Regulations or any order, rule or regulation made pursuant to these Regulations shall be guilty of an offence under these Regulations and liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding twelve months or to both such fine and such imprisonment.

(2) In any prosecution for an offence under these Regulations it shall be presumed that the accused is a person of the Japanese race as defined in these Regulations, or is a person who is wholly of the Japanese race or is a person whose father or mother is or was wholly of the Japanese race, until the contrary is proved and the burden of such proof shall be upon the accused.

(3) Any peace officer may arrest without warrant any person whom he finds committing or whom he has reasonable grounds for believing has committed any offence under these regulations.

(4) Every document, purporting to be, or to contain or to be a copy of an order, rule, regulation, permit or authority made or given by the Minister, the Deputy Minister or the Commissioner pursuant to these Regulations and purporting to be signed by the Minister, the Deputy Minister or the Commissioner shall be evidence of such order, rule, regulation, permit or authority.

Administration

5. The Deputy Minister may exercise all powers conferred on the Minister under these Regulations.

6. There shall be a Commissioner of Japanese Placement who shall, under the Minister and the Deputy Minister, be the Chief Executive Officer charged with the Administration of these Regulations and who may under their control and direction exercise each and every power conferred by these Regulations on the Minister, including any power involving the exercise of a discretion.

7. (1) The Minister may employ such professional, technical or other officers, clerks and employees as he deems necessary for the purpose of the administration of these Regulations and may, with the approval of the Governor in Council, fix their remuneration.

(2) Notwithstanding anything contained in subsection one of this section, all officers, clerks and employees who are employed by the Commission immediately prior to the coming into operation of these Regulations, may be employed by the Minister for the purpose of the administration of these Regulations at their present rate of remuneration and shall perform such duties as are assigned to them by the Minister.

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8. (1) The Minister may enter into contracts and acquire real and personal property on behalf of His Majesty but no contract shall be entered into by him pursuant to these Regulations involving an expenditure in excess of fifteen thousand dollars except with the approval of the Governor in Council.

(2) No real property shall be purchased on behalf of His Majesty pursuant to the provisions of these Regulations except with the approval of the Governor in Council.

9. The Minister may, for the purpose of carrying out his duties under these Regulations, enter into arrangements with any Department of the Government of Canada or into agreements on behalf of the Government of Canada with the Government of any Province for the use or occupation of any Dominion or Provincial Crown lands.

10. The Minister may enter into an agreement on behalf of the Government of Canada with the Government of any Province relative to the placement in such province of persons of the Japanese race and any such agreement may provide that any such persons will be removed from such Province upon the termination of the state of war now existing between Canada and Japan.

Advisory Board

11. (1) There shall be constituted an Advisory Board to advise the Minister on the performance of his duties under these Regulations.

(2) The Board shall consist of the Deputy Minister who shall be the Chairman of the Board, the Commissioner who shall be the Vice Chairman of the Board and Austin C. Taylor, Esq., of Vancouver, John Shirras of Vancouver, B. C., Assistant Commissioner of British Columbia Provincial Police Force and Frederick John Mead of Ottawa, Ontario, Assistant Commissioner, R.C.M.P., together with other persons as the Minister may nominate shall be members thereof.

(3) The Meetings of the Board shall be held at the call of the Chairman or the Vice Chairman.

(4) The Board may make by-laws for the conduct of its business.

(5) Each member of the Board shall be paid a fee of ten dollars for each day he is absent from his usual place of residence while attending meetings of the Board and his actual and reasonable disbursements incurred in connection therewith.

Departmental Assistance

12. All departments and agencies of the Government of Canada shall assist the Minister by lending to the Minister such personnel and by furnishing such medical aid, hospitalization, food, clothing, transportation,

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use of land, buildings, equipment, utilities, and other supplies and services as are available, and may be required by the Minister, and in particular, but without restricting the generality of the foregoing, there shall be furnished to the Minister

- (a) assistance by the Royal Canadian Mounted Police in the compiling of information concerning the persons to be evacuated under these Regulations in the segregation and concentration of such persons and in the maintenance of public security in respect thereof;
- (b) assistance by the Department of Transport in the transportation of persons evacuated under these Regulations;
- (c) assistance by the Department of National Defence by furnishing personnel to advise on and assist in the housing, feeding and clothing of persons evacuated under these Regulations;
- (d) assistance by the Department of Munitions and Supply in advising upon and entering into contracts or other arrangements to provide housing, food, supplies and services for such persons;
- (e) assistance by the Royal Canadian Mounted Police and/or the Department of National Defence in the protection of persons evacuated under these Regulations and in the maintenance of public security in respect thereof;

Provided, however, that notwithstanding the provisions of these Regulations any Minister responsible for the administration of any of the departments or agencies of the Government shall have the right to determine whether or not any item of assistance requested can be made available.

General

13.(1) All real and personal property or any interest therein held by the Commission shall on and after the coming into operation of these Regulations, be vested in His Majesty in right of Canada.

(2) All rights, duties and obligations of the Commission under any agreements entered into by the Commission with the Government of any province of Canada or under any contract entered into by the Commission with any person shall, on and after the coming into operation of these Regulations be vested in and assumed by His Majesty in right of CANADA, represented by the Minister, who shall be the successor to the Commission in respect thereof.

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17(2) Nothing in these Regulations shall be deemed to limit or restrict the operation of the National Selective Service Regulations or any direction given by the Minister thereunder to a person of the Japanese race except insofar as any such direction is inconsistent with an Order of the Minister made under these Regulations; in which event, the order of the Minister made under these Regulations shall prevail.

- 7 -
P. C. 946
(3) The Minister may, in the name of the Commission, execute any conveyance, transfer or other document necessary to transfer the title of any real or personal property or any interest therein held in the name of the Commission to His Majesty.

14.(1) Paragraphs numbered 2 to 11 inclusive and 13 to 16 inclusive of Order in Council P.C. 1665 of March 4, 1942, and Order in Council P. C. 1666 of March 4, 1942, are revoked effective on and after date of the coming into operation of these Regulations.

(2) All orders, rules or regulations made pursuant to any power conferred by Order in Council, P.C. 1665 of March 4, 1942, effective immediately prior to the coming into operation of these Regulations shall, notwithstanding the revocation of said paragraphs of said Order in Council, continue to be valid and in full effect unless or until revoked or varied by the Minister pursuant to these Regulations and shall be deemed to have been made by the Minister pursuant to these Regulations. The power of the Minister to make orders, rules or regulations pursuant to these Regulations shall include power to vary such orders, rules or regulations.

15.(1) The General Supervisor of Japanese Evacuation and Maintenance appointed by Order in Council, P. C. 1/11037 of December 3, 1942, shall be the Commissioner for the Purposes of these Regulations unless and until his appointment is revoked.

(2) The paragraph of the Order in Council, P. C. 1/11037 of December 3, 1942, commencing "The undersigned further recommends that the duties and functions of the Commissioner of Japanese Evacuation and Maintenance be..." and ending "...on the Commissioners" is hereby revoked.

(3) The term "General Supervisor of Japanese Evacuation and Maintenance" wherever it appears in the Order in Council P. C. 1/11037 of December 3, 1942, is deleted and the term "Commissioner of Japanese Evacuation and Maintenance" is substituted therefor.

16. All expenses or costs incurred by the Government by any department or agency of the Government in connection with the enforcement or administration of these Regulations shall be paid out of monies appropriated by Parliament to carry out measures deemed necessary in consequence of the existence of a state of war.

17. (1) Nothing contained in these Regulations shall be construed to limit or to derogate from the power of the Minister on any authority by the Defence of Canada Regulations or any statute of the Parliament of Canada.

18. These Regulations shall be deemed to have come into operation on the 25th day of January, 1943.

Certified to be a true copy.

A. D. P.

Clerk of the Privy Council

(3) The Minister may, in the name of the Commission, execute any conveyance, transfer or other document necessary to transfer the title of any real or personal property or any interest therein held in the name of the Commission to His Majesty.

14.(1) Paragraphs numbered 2 to 11 inclusive and 13 to 16 inclusive of Order in Council P.C. 1665 of March 4, 1942, and Order in Council P. C. 1666 of March 4, 1942, are revoked effective on and after the date of the coming into operation of these Regulations.

(2) All orders, rules or regulations made pursuant to any power conferred by Order in Council, P.C. 1665, of March 4, 1942, effective immediately prior to the coming into operation of these Regulations shall, notwithstanding the revocation of said paragraphs of such Order in Council, continue to be valid and in full force and effect unless or until revoked or varied by the Minister pursuant to these Regulations and shall be deemed to have been made by the Minister pursuant to these Regulations and the power of the Minister to make orders, rules or regulations pursuant to these Regulations shall include power to revoke or vary such orders, rules or regulations.

15.(1) The General Supervisor of Japanese Evacuation and Maintenance appointed by Order in Council, P. C. 1/11037 of December 3, 1942, shall be the Commissioner for the Purposes of these Regulations unless and until his appointment is revoked.

(2) The paragraph of the Order in Council, P. C. 1/11037 of December 3, 1942, commencing "The undersigned further recommends that the duties and functions" and ending "... on the Commissioners" is revoked.

(3) The term "General Supervisor of Japanese Evacuation and Maintenance" wherever it appear in said Order in Council P. C. 1/11037 of December 3, 1942, is deleted and the term 'Commissioner of Japanese Placement' is substituted therefor.

16. All expenses or costs incurred by the Minister or by any department or agency of the Government of Canada in connection with the enforcement or administration of these Regulations shall be paid out of monies appropriated by Parliament to carry out measures deemed necessary in consequence of the existence of a state of war.

17. (1) Nothing contained in these Regulations shall be construed to limit or to derogate from the powers conferred on any authority by the Defence of Canada Regulations or any statute of the Parliament of Canada.

18. These Regulations shall be deemed to have come into operation on the 25th day of January, 1943.

Certified to be a true copy.

A. D. P. Heeney

Clerk of the Privy Council.

g in these Regulations shall be deemed the operation of the National Selective or any direction given by the Minister of the Japanese race except insofar as is inconsistent with an Order of the these Regulations; in which event, the made under these Regulations shall

Order in Council authorizing the utilization of Japanese
labour for wood fuel cutting and timber operations.

P. C. 4365

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 28th day of MAY, 1943

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS the Minister of Labour reports that
an acute shortage of wood fuel exists in British
Columbia and parts of the Prairie Provinces;

That there has been established, under the
direction of the Minister of Labour, and under the
immediate direction of G.C. Collins, Commissioner of
Japanese Placement, a number of settlements in the in-
terior of British Columbia where persons of the
Japanese race, evacuated from the protected areas of
British Columbia, for whose welfare and employment the
Minister of Labour is empowered to make provision
pursuant to Order in Council, P.C. 946 of February 5,
1943, are resident; and

That, as a measure to relieve the shortage
of wood fuel, and at the same time, utilize the services
of employable persons of the Japanese race, resident in
the aforesaid settlements, it is proposed by arrangement
with the Department of Munitions and Supply that the
Commissioner of Japanese Placement shall recruit and
engage the services of said persons of the Japanese race
upon suitable woodcutting projects, to produce wood fuel
and other needed timber supplies, which will be delivered
and disposed of under arrangements to be made with the
Wood Fuel Controller;

NOW THEREFORE, His Excellency the Governor
General in Council, on the recommendation of the Minister
of Labour (concurring in by the Minister of Munitions and
Supply) and under the provisions of the War Measures Act,
Chapter 206, Revised Statutes of Canada 1927, is pleased
to order as follows:-

A. Under the direction of the Minister of Labour,
and without detracting from the powers conferred under the
provisions of Order in Council, P.C. 946 of February 5,
1943, the Commissioner of Japanese Placement is hereby
authorized:

1. To undertake and engage in wood fuel cutting and other
timber operations to the extent necessary to supply the
needs of the Interior Japanese Housing Settlement in
British Columbia and to supply the quantities au-
thorized or required by the Wood Fuel Controller, from
time to time.
2. To make arrangements and enter into agreements to

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secure timber limits and woodcutting rights as he deems necessary in carrying through the projects referred to in the next preceding paragraph.

3. To deliver, sell or otherwise dispose of, and to make arrangements with the Wood Fuel Controller for, the delivery and sale or other disposition of wood fuel or other timber cut under the provisions of this order.
4. To employ Japanese labour on such projects and fix the rate of wages to be paid therefor whether on a piece work or time basis.
5. Notwithstanding the provisions of the Civil Service Act to employ, from time to time, occidental machine operators, foremen and assistants required in carrying out the said projects, at the going local scale of wages for such employments.
6. To purchase the necessary machinery and equipment to carry out the foregoing projects.
7. To do anything necessary to carry out the powers conferred as above.

B. That the sum of \$500,000 shall be allotted from the War Appropriation for the purpose of establishing a revolving fund to be known as the "Japanese Wood Projects Account", out of which expenditures for the purchase of equipment and the operation of woodcutting projects undertaken pursuant to the provisions of this Order, including wages of the persons employed thereon, shall be paid, and into which the proceeds from the sale of wood cut and delivered from the said projects shall be paid:

And in event of it being ascertained that losses are sustained on operations undertaken pursuant to this order the amount of such losses shall be provided by the transfer to the said Account from time to time, with the concurrence of the Comptroller of the Treasury, of funds allotted from the War Appropriation for the maintenance of persons of the Japanese race, under Order in Council, P.C. 946 of February 5, 1943 and the amounts so transferred shall be charged as provision for the maintenance of persons of the Japanese race under Order in Council, P.C. 946 accordingly.

C. Under the direction of the Minister of Labour, the Commissioner of Japanese Placement is hereby authorized to enter into arrangements with the Wood Fuel Controller for the delivery and sale of wood cut upon the said projects.

D. The Deputy Minister of Labour shall consult with the Wood Fuel Controller from time to time in respect of the operation of the said projects.

Certified to be a true copy.

Clerk of the Privy Council.

Order in Council permitting the employment of persons of Asiatic racial origin in the timber industries in the Province of British Columbia.
P. C. 1422

AT THE GOVERNMENT HOUSE AT OTTAWA
TUESDAY, the 23rd day of FEBRUARY, 1943
PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL /

WHEREAS the Minister of Munitions and Supply with the concurrence of the Minister of Labour, represents

That the maintenance of the production of timber in the Province of British Columbia is vital to the war program of Canada and her Allies;

That production cannot be maintained in 1943 and will fall far below requirements unless additional labour is made available to the timber industry in the Province of British Columbia;

That efforts to obtain the necessary labour for this purpose have not been successful;

That there are in the Province of British Columbia and elsewhere in Canada many persons of Asiatic racial origin who are available for work in the timber industry in the Province of British Columbia;

That legal restrictions of the Province of British Columbia prevent the employment of persons of Asiatic racial origin on Crown Lands of the Province of British Columbia; and

That the suspension and cancellation of said restrictions for the duration of the war will be to the war program of Canada and her Allies;

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Munitions and Supply, concurred in by the Minister of Labour, and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, do hereby order and doth hereby order as follows:

1. From and after the date of the coming into force of the present war no statute of the Province of British Columbia and no Order in Council made pursuant to such statute or otherwise and no term or condition contained in any contract, lease, licence, agreement or other instrument shall operate to restrict, qualify or prohibit any person of Asiatic racial origin, wherever born, from employment in the timber industry in the Province of British Columbia.

5. To deliver, sell or otherwise dispose of, and to make arrangements with the Wood Fuel Controller for the delivery and sale or other disposition of wood cut or other timber cut under the provisions of this Order.
4. To employ Japanese labour on such projects and fix rate of wages to be paid therefor whether on a piece work or time basis.
5. Notwithstanding the provisions of the Civil Service Act to employ, from time to time, occidental machine foremen and assistants required in carrying out the said projects, at the going local scale of wages for such employments.
6. To purchase the necessary machinery and equipment to carry out the foregoing projects.
7. To do anything necessary to carry out the powers conferred as above.

B. That the sum of \$500,000 shall be allotted from the War Appropriation for the purpose of establishing a fund to be known as the "Japanese Wood Projects Account" of which expenditures for the purchase of equipment and the operation of woodcutting projects undertaken pursuant to the provisions of this Order, including wages of the persons employed thereon, shall be paid, and into which the proceeds from the sale of wood cut and delivered from the said projects shall be paid:

And in event of it being ascertained that losses sustained on operations undertaken pursuant to this order the amount of such losses shall be provided by the transfer to the said Account from time to time, with the concurrence of the Comptroller of the Treasury, of funds allotted from the War Appropriation for the maintenance of persons of the Japanese race, under Order in Council, P.C. 946 of February 1943 and the amounts so transferred shall be charged as provision for the maintenance of persons of the Japanese race under Order in Council, P.C. 946 accordingly.

C. Under the direction of the Minister of Labour, the Commissioner of Japanese Placement is hereby authorized to enter into arrangements with the Wood Fuel Controller for the delivery and sale of wood cut upon the said projects.

D. The Deputy Minister of Labour shall consult with the Wood Fuel Controller from time to time in respect of the operation of the said projects.

Certified to be a true copy.

Clerk of the Privy Council

Order in Council permitting the employment of persons of Asiatic racial origin in the timber industries in the Province of British Columbia.

P. C. 1422

AT THE GOVERNMENT HOUSE AT OTTAWA
TUESDAY, the 23rd day of FEBRUARY, 1943

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL /

WHEREAS the Minister of Munitions and Supply, with the concurrence of the Minister of Labour, represents,-

That the maintenance of the production of timber in the Province of British Columbia is vital to the war program of Canada and her Allies;

That production cannot be maintained in 1943 and will fall far below requirements unless additional labour is made available to the timber industry in the Province of British Columbia;

That efforts to obtain the necessary labour for this purpose have not been successful;

That there are in the Province of British Columbia and elsewhere in Canada many persons of Asiatic racial origin who are available for work in the timber industry in the Province of British Columbia;

That legal restrictions of the Province of British Columbia prevent the employment of persons of Asiatic racial origin on Crown Lands of the Province of British Columbia; and

That the suspension and cancellation of the said restrictions for the duration of the war is essential to the war program of Canada and her Allies;

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Munitions and Supply, concurred in by the Minister of Labour, and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to order and doth hereby order as follows:

1. From and after the date of this Order and for the duration of the emergency created by the present war no statute of the Province of British Columbia and no Order in Council made pursuant to any such statute or otherwise and no term or condition contained in any contract, lease, license or concession or other instrument shall operate to disqualify or prohibit any person of Asiatic racial origin, wherever born, from employment in any capacity in the timber industry in the Province of

British/

P. C. 1422

British Columbia and no one employing any such person in any such capacity in the timber industry in the said Province shall, by reason of any provision in any such statute, Order in Council, contract, lease, license, concession or other instrument, be subject to any penalty, forfeiture or other liability.

2. The provisions of this Order shall not in any way affect, limit or restrict the powers conferred on the Minister of Labour by Order in Council P.C. 946 dated February 5, 1943, relative to the placement and control of persons of the Japanese race in Canada or any of the provisions of the Defence of Canada Regulations (Consolidation) 1942, or any order, rule or regulation made pursuant to the said Order in Council or the said Defence of Canada Regulations (Consolidation) 1942.

Certified to be a true copy.

A.D.P. Heeney

Clerk of the Privy Council.

Order in Council re immigration status of ref
P. C. 9440

AT THE GOVERNMENT HOUSE AT OTTAWA
FRIDAY, the 10th day of DECEMBER,
PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL

WHEREAS the Acting Secretary of External Affairs reports that there are in Canada a number of refugees who were trained in this country from the United Kingdom, and been allowed to take up employment or to study in this country under prescribed and

That it is desirable to make regard to their immigration status in and to render their position similar, respects, to that of enemy aliens in g

THEREFORE His Excellency the in Council, on the recommendation of State for External Affairs, concurred of Mines and Resources, the Minister of the Minister of Labour, and under the War Measures Act, chapter 206 of the of Canada, 1927, is pleased to order order as follows:

1. (a) Notwithstanding any provision Act, Chapter 93 of the Revised Statute or any amendment thereto, or of Ord P.C. 2653 of September 14th, 1939, and Resources or any person thereunder issue a temporary permit to enter transferred to Canada from the United release in Canada has been approved authorities.

(b) Upon the issue of such a permit Immigration shall forthwith forward General of Enemy Aliens particulars of the refugee, and if a permit has the Director shall, if it has not forward such information immediately General.

(c) Any permit so issued shall not more than one year, but the Resources or any person thereunder

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P. C. 1422

British Columbia and no one employing any such person in any such capacity in the timber industry in the said Province shall, by reason of any provision in any such statute, Order in Council, contract, lease, license, concession or other instrument, be subject to any penalty, forfeiture or other liability.

2. The provisions of this Order shall not in any way affect, limit or restrict the powers conferred on the Minister of Labour by Order in Council P.C. 946 dated February 5, 1943, relative to the placement and control of persons of the Japanese race in Canada or any of the provisions of the Defence of Canada Regulations (Consolidation) 1942, or any order, rule or regulation made pursuant to the said Order in Council or the said Defence of Canada Regulations (Consolidation) 1942.

Certified to be a true copy.

A.D.P. Heeney

Clerk of the Privy Council.

Order in Council re immigration status of refugees.

P. C. 9440

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 10th day of DECEMBER, 1943.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL -

WHEREAS the Acting Secretary of State for External Affairs reports that there are present in Canada a number of refugees who were transferred to this country from the United Kingdom, and who have been allowed to take up employment or to pursue studies in this country under prescribed conditions; and

That it is desirable to make provision with regard to their immigration status in this country, and to render their position similar, in essential respects, to that of enemy aliens in general in Canada.

THEREFORE His Excellency the Governor General in Council, on the recommendation of the Acting Secretary of State for External Affairs, concurred in by the Minister of Mines and Resources, the Minister of Justice and the Minister of Labour, 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. (a) Notwithstanding any provision of the Immigration Act, Chapter 93 of the Revised Statutes of Canada, 1927, or any amendment thereto, or of Order in Council P.C. 2653 of September 14th, 1939, the Minister of Mines and Resources or any person thereunto authorized by him may issue a temporary permit to enter Canada to any refugee transferred to Canada from the United Kingdom whose release in Canada has been approved by the appropriate authorities.

(b) Upon the issue of such a permit, the Director of Immigration shall forthwith forward to the Registrar General of Enemy Aliens particulars and proposed address of the refugee, and if a permit has already been issued, the Director shall, if it has not already been done, forward such information immediately to the said Registrar General.

(c) Any permit so issued shall be for a period of not more than one year, but the Minister of Mines and Resources or any person thereunto authorized by him may

.....

extend for further periods from time to time or cancel such permit.

2. Any refugee to whom a permit is issued in accordance with the provisions of the preceding Section of this Order shall,

(a) be released from any restraints or conditions under which he was held in this country prior to the issue of a permit to him;

(b) be deemed, for purposes of the Defence of Canada Regulations, to be an enemy alien ordinarily resident in Canada, and subject to such restrictions as are placed by the Defence of Canada Regulations or any other Order or Regulation upon any enemy alien ordinarily resident in Canada; and

(c) be subject to the provisions of the National Selective Service (Civilian) Regulations in the same manner and to the same extent as any other person in Canada.

Certified to be a true copy.

A. D. P. Heeney

Clerk of the Privy Council.