2204
ORDERS - IN - COUNCIL
1941 - 1949

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Orders in Council re Japanese
Evacuation, Supervision, Welfare etc.

P.C. Number	Date	Brief Summary
	1941	
	Jan. 7	Registration of Japanese by R.C.M.P.
* 117	Dec. 7	Regulations re Trading with the Enemy made applicable to Japanese
* 9590	Dec. 16	Registration of Japanese By R.C.M.P.
* 9760	Dec. 6	Prohibited operation of vessels in coastal waters by Japanese
* 9761		
	1942	
	Jan. 13	Prohibited issuance of fishing licenses by Dept. of Fisheries to Japanese
* 251	Jan. 13	Set up Japanese Fishing Vessels Disposal Committee
* 288	Jan. 16	Minister of Justice empowered to Control enemy aliens and to evacuate them from "protected areas" and to intern suspects
* 365		
	Feb. 8	Established Smith Committee to dispose of fishing vessels
* 987	Feb. 17	Established Canadian Japanese Construction Corps
* 1271	Feb. 19	Set up Mines & Resources road camps for employment of evacuated Japanese
* 1348	Feb. 19	Amendment of Defence of Canada Regulations as applied to Japanese
* 1365	Feb. 24	Prohibited purchase or lease of real property by Japanese without permits from Minister of Justice
* 1457	March 4	Established British Columbia Security Commission
1665	March 4	Appointed members of B.C.S.C.
1666	March 16	Lease of Hastings Part at Vancouver as Japanese evacuation centre
1968	March 27	Amended P.C. 1665 to give more control over movement and property of Japanese property placed under control of Custodian
2483	March 30	Amended P.C. 1665 to provide for relief and employment of Japanese evacuees
2541	March 31	Deferred formation of Canadian Japanese Construction Corps (P.C. 1271)
* 2542	April 1	Funds for reconstruction in B.C. interior towns re Japanese Camps
2616	April 14	Lease of part of Vancouver exhibition grounds as Clearing Centre
2972	April 21	B.C. Security Commission empowered to make agreements with Provinces re Japanese
3213		

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P.C. Number	Date	Brief Summary
	1942 Cont'd May 11	Authority for agreement with Ontario for Japanese farm labour
3903	June 2	Concurrence in agreement with Alberta for Japanese farm labour
4615	June 29	Director of Soldier Settlement authorized to control Japanese farm lands in "protected areas".
* 5523	June 29	Authorized purchase of 1000 tents and erection of housing for Japanese evacuees
5535	July 2	Lease of part of Vancouver Exhibition grounds
5651	July 10	Authorized further expenditures on housing for Japanese in interior B.C. towns
5965	July 20	Transferred control of remaining Japanese fishing vessels from Smith Committee to Custodian of Alien Property
* 6247	July 31	Japanese employed by Mines & Resources deemed government employees for compensation purposes
* 6758	Aug. 18	Authority for B.C.S.C. to build houses and provide community facilities in Housing Centres in interior of B.C.
7387	Sept. 11	Powers of Department of Labour and Mine & Resources extended over Japanese Canadians
8173	Nov. 26	Loss of citizenship by a British National requesting repatriation to an enemy country
* 10773		
	1943 Jan. 19	Control of all Japanese property in protected areas (except liquid assets) vested in Custodian of Enemy Property with Power to Sell or dispose of same
* 469	Feb. 5	Dissolved B.C. Security Commission, with powers and duties reverting to Minister of Labour
946	Feb. 23	Suspended any B.C. laws, leases, contracts, etc. prohibiting Orientals from employment on Crown Timber limits in province
* 1422	May 17	Approved agreement of Sept. 1, 1942, between B.C. Security Commission and Province of Alberta on education of Japanese children
4002	May 28	Established Japanese fuel-cutting project in B.C. in conjunction with Department of Munitions & Supply
4365	Dec. 14	Appointed Jackson Royal Commission to inquire into welfare conditions among Japanese evacuees in B.C. settlements
9498		

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ORDERS-IN-COUNCIL
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P.C. Number	Date	Brief Summary
	1943 Cont'd	
* 9702	Dec. 20	Amended P.C. 1457 (Sec. 39e of D.C.R.) to permit Japanese to lease property for business on yearly basis without permit
9743	Dec. 24	Amended P.C. 946 to provide that nothing in these Regulations would restrict operation of N.S.S. Civilian Regulations applying to Japanese
	1944	
* 3797	May 19	Prohibited Occidentals from purchasing property as agents for Japanese
	1945	
✓ 5637	Aug. 16	Amended P.C. 946 to include authorization for continued internment of Japanese internees
* 5972	Sept. 14	Defence of Canada Regulations re firearms and explosives revoked except prohibition on Japanese carrying or possessing same
5973	Sept. 14	Amended Defence of Canada Regulations and P.C. 946 to transfer power to issue property permits to Japanese, from Minister of Justice to Minister of Labour
7355	Dec. 15	Deportation of Japanese who had requested repatriation, and assistance to same
* 7356	Dec. 15	Restoration of Naturalization of Naturalized Japanese Canadians repatriated under P.C. 7355
7357	Dec. 15	Authorized establishment of an Inquiry Commission into loyalties of Japanese
5793	Dec. 18	Amended P.C. 946 to empower Minister of Labour to restrict residence of Japanese in "any place or area in Canada"
	1946	
* 45	Jan. 8	Referred P.C. 7355, 7356 and 7357 to Supreme Court of Canada for judgment on validity
219	Jan. 22	Established exchange rates for money of Japanese repatriates and procedure for transferring same to Japan
	1947	
268	Jan. 23	Amended P.C. 7355 to revoke all Sections dealing with deportation of Japanese, retaining authority to assist voluntary repatriation
269	Jan. 23	Revoked P.C. 9760, 9761, 1348, 10773, 7356 and 7357

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P.C. Number	Date	Brief Summary
	1947 Cont'd	
270	Jan. 23	Amended P.C. 946 to revoke unnecessary clauses, i.e. authority for internment and licensing of property purchases and leases
* 271	Jan. 23	Revoked P.C. 6247 and part of P.C. 469

Orders in Council Still in Effect, Feb. 1947

* 251	re: Prohibition of fishing licenses
* 469	re: Custodian control of property
946	re: Labour Department control of Japanese reestablishment
7355	re: Labour Department assistance to voluntary repatriation

NOTE * Orders in Council not administered by the Dept. of Labour

589	Feb. 17, 1948	authorizing agreement on finalization of Japanese placement + welfare situation in Alberta.
637	Feb. 20, 1948	Revoking P.C. 7355 except as it affects Japanese repatriated prior to Dec. 5, 1947.
* 242, * 243	Jan. 22, 1948	Extending powers and scope of Royal Commission on Japanese Property.
* 1810	July 18, 1947	Appointing Royal Commission to investigate Japanese Property claims.
958	March 6, 1948	Authorizing agreement on finalization of Japanese program with Province of B. Columbia
804	March 2, 1948	Amending 946 esp. re movement
3197	July 16, 1948	Agreement with Manitoba
5638	Jan. 27, 1949	Revoking P.C. 1665, 469 & 7355 entirely effective Feb. 28, 1949

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ORDERS - IN - COUNCIL
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Orders in Council relating to persons of the Japanese race.

9590	7/12/41	Regulations re Trading with the Enemy made applicable to the Japanese
9760	16/12/41	Re-registration of persons of Japanese race
9761	16/12/41	Prohibiting operation of vessels in waters adjacent to the West Coast by persons of Japanese race
251	13/1/42	Fishing licence - prohibited to persons of Japanese racial origin
288	13/1/42	Committee re disposal of fishing boats amended by P.C. 987 9/2/42 P.C. 3737 5/5/42
1348	19/2/42	Work camps for male enemy aliens amended by P.C. 6758 31/7/42 P.C. 8173 11/9/42
1665	4/3/42	British Columbia Security Commission amended by P.C. 2483 27/3/42 P.C. 3213 21/4/42
4615	2/6/42	British Columbia Security Commission and Province of Alberta - agreement for moving persons of Japanese race
6247	20/7/42	Boats and equipment owned by Japanese vested in Custodian
469	19/1/43	Transfer to Custodian of property of Japanese evacuees
946	5/2/43	Regulations re placement, control and maintenance of persons of the Japanese race in Canada amended by P.C. 9743 24/12/43 P.C. 5637 16/8/45 P.C. 5793 18/12/45 P.C. 5973 14/9/45
4002	17/5/43	British Columbia - Alberta agreement re Japanese school children
4365	28/5/43	Japanese labour to be utilized for wood fuel cutting and timber operations
468	23/1/45	T.B. Pickersgill appointed Commissioner of Japanese placements
7355	15/12/45	Deportation of persons of the Japanese race
7356	15/12/45	Revocation of Naturalization of persons of Japanese race deported under provisions of P.C. 7355
7357	15/12/45	Commission appointed to inquire into activities of persons of the Japanese race during the war.

ORDERS-IN-COUNCIL RE JAPANESE

P.C. 117, January 7, 1941.
P.C. 9590, December 7, 1941.
P.C. 9591, December 7, 1941.
P.C. 9760, December 16, 1941.
P.C. 9761, December 16, 1941.
P.C. 251, January 13, 1942.
P.C. 288, January 13, 1942.
P.C. 365, January 16, 1942.
P.C. 987, February 9, 1942.
P.C. 1001, February 9, 1942.
P.C. 1074, February 13, 1942.
P.C. 1271, February 17, 1942.
P.C. 1348, February 19, 1942.
P.C. 1365, February 19, 1942.
P.C. 1457, February 24, 1942.
P.C. 1486, February 24, 1942.
P.C. 1542, February 26, 1942.
P.C. 1665, March 4, 1942.
P.C. 1666, March 4, 1942.

Proclamation, December 8, 1941 - State of War with Japan.
Proclamation, January 5, 1942 - Trading with Japan.
Declaration of protected areas in British Columbia, by Department of National Defence - January 29, 1942.
- February 27, 1942.

P.C. 117

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 7th January, 1941.

The Committee of the Privy Council have had before them a report, dated 6th January, 1941, from the Secretary of State for External Affairs, representing:

> That the Special Committee on Orientals in British Columbia, which was appointed by the Cabinet War Committee on the 1st of October, 1940, has now reported;
>
> That the Special Committee has recommended, inter alia, that a small standing Committee should be set up in British Columbia to supervise the carrying out of such other recommendations of the Special Committee as may be adopted by the Government and to keep the Government constantly informed as to the oriental situation in that Province.

The Committee, therefore, on the recommendation of the Secretary of State for External Affairs concurred in by the Minister of Justice and the Minister of National Defence, advise -

1. That a standing Committee consisting of:

Fred J. Hume, Esquire, to be Convener;

Lt.-Col. A.W. Sparling;

Asst. Commissioner F. J. Mead, R.C.M. Police;

Henry F. Angus, Esquire; and

Lt.-Col. McGregor McIntosh, M.L.A.

be hereby appointed to assist the Government by overseeing the execution of such recommendations of the Special Committee on Orientals in British Columbia as the Government may from time to time refer to it for action, and by keeping the Government constantly informed, through reports addressed to the Secretary of State for External Affairs, the Minister of Justice and the Minister of National Defence, as to the oriental situation in that Province; and

2. That any necessary expenses for travel or correspondence incurred by the Committee in the execution of its duties made a charge upon an appropriation of the Department of Justice.

A. D. P. Heeney.

Clerk of the Privy Council.

THE CANADA GAZETTE
LA GAZETTE DU CANADA

OTTAWA, SUNDAY, DECEMBER 7, 1941

OTTAWA, DIMANCHE 7 DÉCEMBRE 1941

ORDER IN COUNCIL

[9590]

AT THE GOVERNMENT HOUSE AT OTTAWA

Sunday, the 7th day of December, 1941.

PRESENT:

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL

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

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

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

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

A. D. P. HEENEY,
Clerk of the Privy Council.

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OTTAWA—Printed by EDMOND CLOUTIER, Printer to the King's Most Excellent Majesty.

ARRÊTÉ EN CONSEIL

[9590]

HÔTEL DU GOUVERNEMENT À OTTAWA

Le dimanche 7 décembre 1941.

PRÉSENT:

SON EXCELLENCE LE GOUVERNEUR GÉNÉRAL EN CONSEIL

ATTENDU qu'afin d'empêcher les richesses possédées au Canada par les personnes résidant dans l'Empire du Japon et dans le territoire occupé et/ou contrôlé par les Japonais, de tomber au pouvoir de l'ennemi et d'être utilisées à son avantage, il est jugé opportun et nécessaire de séquestrer tous les biens possédés au Canada par les personnes résidant dans l'Empire du Japon et dans le territoire occupé et/ou contrôlé par les Japonais, y compris l'Indochine, et de réglementer le commerce avec lesdites personnes;

ET ATTENDU que le premier ministre, agissant pour le Secrétaire d'Etat, signale que la mesure la plus propre à assurer cette séquestration et cette réglementation est d'utiliser le bureau du séquestre établi en application des Règlements sur le commerce avec l'ennemi (Codification) 1939, et de conférer au Secrétaire d'Etat, relativement à ces biens possédés au Canada par les personnes résidant dans l'Empire du Japon et dans le territoire occupé et/ou contrôlé par les Japonais, le pouvoir qu'il peut exercer à titre de Secrétaire d'Etat et de séquestre, en vertu des Règlements sur le commerce avec l'ennemi (Codification) 1939, à l'égard du territoire interdit.

A CES CAUSES, il plaît à Son Excellence le Gouverneur général en conseil, sur la recommandation du Premier ministre agissant pour le Secrétaire d'Etat, appuyée par le ministre des Finances, et en vertu et conformité de la *Loi des mesures de guerre*, chapitre 206 des Statuts revisés du Canada, 1927, de rendre l'ordonnance suivante:

A compter du septième jour de décembre 1941, les dispositions des Règlements sur le commerce avec l'ennemi (Codification) 1939 sont expressément étendues et censées applicables à l'Empire du Japon, ainsi qu'au territoire occupé et/ou contrôlé par les Japonais comme territoire interdit.

A.-D.-P. HEENEY,
Greffier du Conseil privé.

25-1

OTTAWA—EDMOND CLOUTIER, Imprimeur de Sa Très Excellente Majesté le Roi.

P.C. 9590

AT THE GOVERNMENT HOUSE AT OTTAWA

SUNDAY, the 7th day of DECEMBER, 1941.

PRESENT

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

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

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

.....

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

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

A.D.P. Heeney,

Clerk of the Privy Council.

P. C. 9761

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 16th day of DECEMBER, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS the Minister of Justice reports that owing to the war with Japan it is considered desirable that provision should be made to control vessels used or operated by persons of the Japanese race.

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, concurred in by the Secretary of State for External Affairs and the Minister of National Defence for Naval Services, 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. No person of the Japanese race shall use or operate any vessel within waters adjacent to the West coast of Canada without the authority in writing of the Commissioner of the Royal Canadian Mounted Police, or other officer designated by him for the purpose.

2. Where any person of the Japanese race uses oroperates a vessel without the authority aforesaid, such vessel may be seized and detained on behalf of His Majesty by any officer of the Royal Canadian Navy, Royal Canadian Mounted Police, Provincial Police of British Columbia, or of the Department of Fisheries, and any such vessel shall be released from such seizure and detention at any time on the instructions of the Commissioner of the Royal Canadian Mounted Police or the Minister of Justice: Provided that any such seizure and detention shall be without prejudice to any proceedings under the Order respecting Prize enacted on the twenty-seventh day of September, 1939,

as/

as P. C. 2892: And provided further that any seizure made after the eighth day of December, 1941, and prior to the coming into force of this Order of any vessel on the ground that it has been used or operated by a person of the Japanese race shall, nevertheless, be deemed to have been duly made pursuant to this Order.

3. Every one who contravenes the provisions of this Order shall be guilty of an offence and shall be 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."

Sgd. A.D.P.Heeney

Clerk of the Privy Council.

P. C. 288

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 13th January, 1942.

The Committee of the Privy Council have had before them a report, dated 13th January, 1942, from the Minister of Fisheries, representing that the defence and security of Canada has made necessary the immobilization of fishing vessels owned by people of Japanese origin and operated in British Columbia waters;

That some 1,100 boats and their equipment, having a value of between $2,000,000 and $3,000,000, are involved, of which about 950 are impounded near New Westminster and the remainder at Prince Rupert and other ports;

That the owners of these vessels, though being of Japanese origin, are Canadian citizens whose productive power, by virtue of this ownership, contributed significantly to the fishing industry;

That a conference has been held between the Standing Committee on Orientals in British Columbia and the interested government departments, at which it was considered that the war needs of Great Britain and the Allies make it imperative that the production of the British Columbian fishing industry be maintained and increased and that, therefore, a way should be found of putting these vessels back into production in hands other than those of Japanese origin, and otherwise consistent with the needs of national defence and security, as well as with due regard to the equity of the Japanese Canadian owners;

That it is, therefore, deemed desirable to implement the release of these Japanese Canadian fishing vessels in accordance with the above considerations; and

That such a purpose could best be accomplished by the establishment of a committee to consist of three persons, with a jurist to act as chairman, another to be appointed from the Department of National Defence (Naval Services), and the third to be chosen to represent the Japanese Canadian owners.

The Minister, therefore, with the concurrence of the Minister of National Defence for Naval Services, recommends that, under the authority of the War Measures Act,-

The/

The Honourable Sidney A.Smith,
Puisne Judge of the Supreme Court of
British Columbia, Vancouver, B.C.

Commander B.L.Johnson, R.C.N.R.,
Vancouver, B.C.
and

Kishizo Kimura,
Vancouver, B.C.

be hereby constituted a committee on the disposal of Japanese fishing vessels, the duties of the said committee to be:

(1) To make such arrangements as will make it possible for the present owners of detained vessels to freely negotiate for charters, leases, or sales of such vessels as they own to persons other than those of Japanese origin, provided that the committee approve of such charters, leases, or sales, which approval shall be a prerequisite for the use of such vessel under fishing license.

(2) Where necessary, to arbitrate disagreements on price between owners and intending purchasers with a view to preventing advantage being taken of duress.

(3) To report on claims which may be made on the government for damage to, or deterioration of, the vessels and equipment while under detention.

(4) To report on claims which may be made on the government for the returning of the detained vessels from their present storage place to places where they were picked up.

(5) By consultation with the Department of Fisheries, to determine which of the detained vessels shall first come under the arrangements to be put back into production.

(6) To report on steps that should be taken to dispose of vessels which the present owners are unable to sell, charter, lease or otherwise transfer.

That the committee be authorized to employ stenographic and other assistance and to incur such other expenses as they find necessary to facilitate the fulfilment of their function as outlined above, with actual travelling and living expenses as may be approved by the Minister of Fisheries;

That/

That the committee, which shall act without remuneration, be paid travelling and living expenses while away from their place of residence on the work of the committee where these are not already provided for; and

That the cost of the committee be charged against the War Appropriation.

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

Sgd. A.D.P.Heeney

Clerk of the Privy Council.

P. C. 251

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 13th day of JANUARY, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS the Minister of Fisheries reports that the conference convened at Ottawa on January 8th, 1942, under the chairmanship of the Honourable Ian Mackenzie, Minister of Pensions and National Health, to consider questions concerned with Canadian Japanese and Japanese Nationals in British Columbia, has recommended that during the period of war, for reasons of national defence and security, the Canadian Government should take steps to prohibit all persons of Japanese racial origin from fishing or serving on fishing vessels off the coast of British Columbia.

AND WHEREAS the Minister further reports that while under the Fisheries Act, Chapter 42, 22-23, George V, authority is vested in the Minister of Fisheries whereby he may, in his absolute discretion, issue or authorize to be issued licenses for fisheries and/or fishing wheresover situate or carried on, in the extraordinary circumstances governing the above recommendation, it is deemed desirable that action to discontinue the licensing of all persons of Japanese racial origin in fishing activities in British Columbia should be supported by the authority of the War Measures Act.

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Fisheries, under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, and for reasons of national defence and security during the period of the war, is pleased to order and doth hereby order that no fishing licenses authorizing fishing in or off British Columbia, as contemplated by the Fisheries Act, Chapter 42, 22-23, George V, and regulations adopted pursuant thereto, shall be issued to persons of Japanese racial origin; and also, that no such persons shall be permitted to serve on fishing vessels.

Sgd. A.D.P.Heeney

Clerk of the Privy Council.

P.C. 288

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 13th January, 1942.

The Committee of the Privy Council have had before them a report, dated 13th January, 1942, from the Minister of Fisheries, representing that the defence and security of Canada has made necessary the immobilization of fishing vessels owned by people of Japanese origin and operated in British Columbia waters;

That some 1,100 boats and their equipment, having a value of between $2,000,000 and $3,000,000, are involved, of which about 950 are impounded near New Westminister and the remainder at Prince Rupert and other ports;

That the owners of these vessels, though being of Japanese origin, are Canadian citizens whose productive power, by virtue of this ownership, contributed significantly to the fishing industry;

That a conference has been held between the Standing Committee on Orientals in British Columbia and the interested government departments, at which it was considered that the war needs of Great Britain and the Allies make it imperative that the production of the British Columbian fishing industry be maintained and increased and that, therefore, a way should be found of putting these vessels back into production in hands other than those of Japanese origin, and otherwise consistent with the needs of national defence and security, as well as with due regard to the equity of the Japanese Canadian owners;

That it is, therefore, deemed desirable to implement the release of these Japanese Canadian fishing vessels in accordance with the above considerations; and

That such a purpose could best be accomplished by the establishment of a committee to consist of three persons, with a jurist to act as chairman, another to be appointed from the Department of National Defence (Naval Services), and the third to be chosen to represent the Japanese Canadian owners.

The Minister, therefore, with the concurrence of the Minister of National Defence for Naval Services, recommends that, under the authority of the War Measures Act, -

.....

P.C. 288

The Honourable Sidney A. Smith,
Puisne Judge of the Supreme Court of
British Columbia, Vancouver, B.C.

Commander B.L. Johnson, R.C.N.R.,
Vancouver, B.C.

and

Kishizo Kimura,
Vancouver, B.C.

be hereby constituted a committee on the disposal of Japanese fishing vessels, the duties of the said committee to be:

(1) To make such arrangements as will make it possible for the present owners of detained vessels to freely negotiate for charters, leases, or sales of such vessels as they own to persons other than those of Japanese origin, provided that the committee approve of such charters, leases, or sales, which approval shall be a prerequisite for the use of such vessel under fishing license.

(2) Where necessary, to arbitrate disagreements on price between owners and intending purchasers with a view to preventing advantage being taken of duress.

(3) To report on claims which may be made on the government for damage to, or deterioration of, the vessels and equipment while under detention.

(4) To report on claims which may be made on the government for the returning of the detained vessels from their present storage place to places where they were picked up.

(5) By consultation with the Department of Fisheries, to determine which of the detained vessels shall first come under the arrangements to be put back into production.

(6) To report on steps that should be taken to dispose of vessels which the present owners are unable to sell, charter, lease or otherwise transfer.

That the committee be authorized to employ stenographic and other assistance and to incur such other expenses as they find necessary to facilitate the fulfilment of their function as outlined above, with actual travelling and living expenses as may be approved by the Minister of Fisheries;

That the committee, which shall act without remuneration, be paid travelling and living expenses while away from their place of residence on the work of the committee where these are not already provided for; and

That the cost of the committee be charged against the War Appropriation.

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

A.D.P. Heeney,
Clerk of the Privy Council.

P.C. 365

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 16th day of JANUARY, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS the Minister of Justice reports that by reason of the development of the war it may become necessary to take special measures within certain areas of Canada;

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada 1927, is pleased to amend the Defence of Canada Regulations (Consolidation) 1941, and they are hereby amended by rescinding Regulation 4 thereof and substituting therefor the following Regulation:

"4. (1) The Minister of National Defence with the concurrence of the Minister of Justice may, if it appears necessary or expedient so to do in the public interest and for the efficient prosecution of the War make, in respect of any area in Canada, an order declaring that, after such time as may be specified in such order such area shall be a protected area (hereinafter in this regulation referred to as a "protected area") and subject to the provisions of this regulation.

(2) The Minister of Justice may, with respect to a protected area, make orders in relation to any of the following matters:-

(a) To require all or any enemy aliens to leave such protected area;

(b) To prohibit all or any enemy aliens from entering, leaving or returning to such protected area except as permitted pursuant to such order;

(c) To impose upon all or any enemy aliens, ordinarily resident or actually present in such protected area, such restrictions as may be specified in the order in respect of their employment or business, their movements or places of residence, their associations or communications with other persons, their activities in relation to the dissemination of news or the propagation of opinions or otherwise with respect to the conduct of any such enemy aliens;

.....

(d) To prohibit or restrict the possession or use by all or any enemy aliens, ordinarily resident or actually present in such protected area, of any specified articles and to require the delivery up by any such enemy aliens aforesaid of any such specified articles to the Royal Canadian Mounted Police;

(e) To authorize the detention, in such place and under such conditions as he may from time to time direct, of all or any enemy aliens ordinarily resident or actually present in such protected area;

(f) To authorize the detention of any persons, other than enemy aliens, ordinarily resident or actually present in such protected area in order to prevent such persons from acting in any manner prejudicial to the public safety or the safety of the State;

(g) To authorize the release, upon such conditions as he may specify, of any person ordered to be detained or any article delivered up pursuant to this Regulation..

(3) Any person in the protected area reasonably believed by any peace officer or by any person acting on behalf of His Majesty to be contravening any order made under this Regulation may, without prejudice to any proceedings which may be taken against him, be removed from the protected area or detained therein by any peace officer or person acting on behalf of His Majesty aforesaid.

(4) This Regulation shall be administered by the Commissioner of the Royal Canadian Mounted Police.

(5) This Regulation and any order made hereunder shall have full force and effect according to its terms notwithstanding anything contained in any other of these Regulations.

PRIVY COUNCIL CANADA

A.D.P. Heeney,
Clerk of the Privy Council.

P. C. 987

AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 9th day of FEBRUARY, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS the Minister of Fisheries reports that the Committee under the Chairmanship of the Honourable Justice Sidney A.Smith of Vancouver, appointed under the authority of the War Measures Act to supervise the disposal of impounded fishing vessels and equipment owned by persons of Japanese racial origin in British Columbia, was empowered inter alia, -

(a) To make such arrangements as will make it possible for the present owners of detained vessels to freely negotiate for charters, leases, or sales of such vessels as they own to persons other than those of Japanese origin, provided that the Committee approve of such charters, leases, or sales, which approval shall be a prerequisite for the use of such vessel under fishing license.

(b) Where necessary, to arbitrate disagreements on price between owners and intending purchasers with a view to preventing advantage being taken of duress.

That the Committee has proposed that a disposal charge of one per centum on all monies involved in transactions for the disposal of the vessels and equipment coming within its terms of reference should be made, having in mind that the expenses of the Committee will be substantially greater than originally estimated, due to the large number of claims for damages to vessels while in custody, necessitating additional expenses for services of competent marine surveyors; and has reported that Mr. Kishizo Kimura, one of the members of the Committee, has stated the Japanese owners are willing to subscribe to this expense.

Now/

P. C. 987

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Fisheries and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to authorize and doth hereby authorize the Committee appointed by Order in Council of January 13th, 1942, P.C. 288, for the disposal of immobilized fishing vessels and equipment in British Columbia, owned by persons of Japanese racial origin, to impose and collect a charge of one per centum on all monies involved in transactions for the disposal of such vessels and equipment, whether by charters, leases or sales, and that all such funds shall be remitted promptly to the Receiver General of Canada for inclusion in the Consolidated Revenue Account.

Sgd. A.D.P.Heeney

Clerk of the Privy Council.

P.C. 1365

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 19th day of FEBRUARY, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS in view of the war with Japan it is considered desirable that regulation 37A of the Defence of Canada Regulations be amended so as to make the provisions with respect to firearms and explosives applicable to persons of the Japanese race naturalized since 1922.

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, and under the authority of the War Measures Act, chapter 206 of the Revised Statutes of Canada 1927, is pleased to amend paragraph (1) of regulation 37A of the Defence of Canada Regulations (Consolidation) 1941, and it is hereby amended by inserting immediately before the proviso thereto the following,

"or, (d) at the time of his naturalization was a national of Japan or of any country or territory which on the eighth day of December, 1941, was under the sovereignty or control of Japan, or in his application for naturalization described his nationality as Japanese."

A.D.P. Heeney,

Clerk of the Privy Council.

C O P Y

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P.C. 1457

Privy Council

Canada

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 24th day of February, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS by reason of the existence of a state of war between Canada and Japan, it is necessary for the security, defence, peace, order and welfare of Canada to regulate in certain respects the activities in Canada of persons of the Japanese race and of Japanese controlled companies;

AND WHEREAS for this purpose it is deemed advisable to regulate the acquisition of land or any interest therein or growing crops in Canada by persons of the Japanese race and by such companies;

NOW THEREFORE His Excellency the Governor General in Council, on the recommendation of the Minister of Justice and under the authority of the War Measures Act, Chapter 206, R.S.C. 1927, is pleased to amend the Defence of Canada Regulations (Consolidation) 1941, and they are hereby amended by adding thereto the following regulations as Regulation 39 E.

(P.C.5295)
15 July,1941.

39 E.(1) No person of the Japanese race and no Japanese company shall, except as hereinafter provided, have the capacity, after the date of this regulation, during the continuation of the state of war now existing, to acquire or hold land or growing crops in Canada.

(2) No conveyance made or executed after the date of this regulation shall be effective to convey to or for the benefit of a person of the Japanese race or of a Japanese company any land or growing crops in Canada.

(3) (a) Nothing in this regulation shall deprive a person of the Japanese race or a Japanese company of capacity to hold land or growing crops acquired or held by such person or company before the date of this regulation or acquired by such person or company after the date of this regulation pursuant to the terms of a written contract or agreement executed before the date of this regulation or under a will or on intestacy.

(b) Nothing in this regulation shall deprive a person of the Japanese race of capacity to lease any building or part of a building for residential purposes only, for a term not exceeding one year or from month to month or for some lesser periodic tenancy.

(4) (a) The Minister of Justice may, if it appears to him to be in the public interest so to do, grant to a person of the Japanese race or to a Japanese company, a licence to acquire or hold land or growing crops in Canada or any interest therein which such person or company would by reason of this regulation be denied the capacity to acquire or hold.

(b) A person of the Japanese race or a Japanese company to whom or to which such a license is granted shall have the capacity to acquire or hold land or growing crops in Canada or any interest therein in accordance with the terms and conditions of such licence.

(c) A conveyance of land or growing crops made in conformity with any such licence shall be effective according to its terms.

(5) Any person who after the date of this regulation makes or executes any conveyance other than a conveyance made in conformity with a licence granted hereunder or a lease granted in accordance with subsection (b) of section 3 of these regulations, of any land or growing crops to or for the benefit of any person whom he knows to be of the Japanese race or to a company which he knows to be a Japanese company shall be guilty of an offence and liable on summary conviction to a fine not exceeding $500.00 or to imprisonment for a term not exceeding three months.

(6) In this regulation:

(a) "Conveyance" shall include a gift, conveyance, transfer, agreement for sale, appointment, lease, settlement, mortgage, charge, encumbrance or other conveyance by deed, bill of sale or other instrument made inter vivos, and "convey" shall have a meaning corresponding with "conveyance."

(b) "Japanese company" means any corporation of which the majority of the shares issued by the company are owned by persons of the Japanese race, or of which a majority of the Directors are persons of the Japanese race.

(c) "Land" shall include land and any real or immovable property and any interest, legal or equitable therein and the right to possession thereof.

(d) "Person of the Japanese race" means, as well as any person wholly of the Japanese race, a person not wholly of the Japanese race if his father or mother is of the Japanese race and if the Commissioner of the Royal Canadian Mounted Police by notice in writing requires him to register pursuant to Order in Council P.C. 9760 of December 16, 1941.

(Sgd.) A. D. P. Heeney
Clerk of the Privy Council.

Department of Labour
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MAR 5 1942
Secretary to Deputy Minister

No. 211 EXTRA Vol. LXXV

THE CANADA GAZETTE
LA GAZETTE DU CANADA

OTTAWA, THURSDAY, FEBRUARY 26, 1942

ORDER IN COUNCIL

[1457]

AT THE GOVERNMENT HOUSE AT OTTAWA
Tuesday, the 24th day of February, 1942.

PRESENT:

HIS EXCELLENCY THE GOVERNOR GENERAL IN COUNCIL

WHEREAS by reason of the existence of a state of war between Canada and Japan, it is necessary for the security, defence, peace, order and welfare of Canada to regulate in certain respects the activities in Canada of persons of the Japanese race and of Japanese controlled companies;

AND WHEREAS for this purpose it is deemed advisable to regulate the acquisition of land or any interest therein or growing crops in Canada by persons of the Japanese race and by such companies;

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice and under the authority of the War Measures Act, Chapter 206, R.S.C. 1927, is pleased to amend the Defence of Canada Regulations (Consolidation) 1941,* and they are hereby amended by adding thereto the following regulation as Regulation 39E:

39E. (1) No person of the Japanese race and no Japanese company shall, except as hereinafter provided, have the capacity, after the date of this regulation, during the continuation of the state of war now existing, to acquire or hold land or growing crops in Canada.

(2) No conveyance made or executed after the date of this regulation shall be effective to convey to or for the benefit of a person of the Japanese race or of a Japanese company any land or growing crops in Canada.

(3) (*a*) Nothing in this regulation shall deprive a person of the Japanese race or a Japanese company of capacity to hold land or growing

*(P.C. 5295) 15th July, 1941.

OTTAWA, JEUDI 26 FÉVRIER 1942

ARRÊTÉ EN CONSEIL

[1457]

HÔTEL DU GOUVERNEMENT À OTTAWA
Le mardi 24 février 1942.

PRÉSENT:

SON EXCELLENCE LE GOUVERNEUR GÉNÉRAL EN CONSEIL

ATTENDU qu'en raison de l'existence d'un état de guerre entre le Canada et le Japon, il est nécessaire, pour la sécurité, la défense, la paix, l'ordre et le bien-être du Canada, de réglementer à certains égards l'activité au Canada de personnes de race japonaise et de compagnies contrôlées par des Japonais;

ET ATTENDU qu'il est jugé opportun, dans ce but, de réglementer l'acquisition de terres ou de tout intérêt sur des terres ou de récoltes sur pied au Canada par des personnes de race japonaise et par de telles compagnies.

A CES CAUSES, il plaît à Son Excellence le gouverneur général en conseil, sur la recommandation du ministre de la Justice et en vertu des pouvoirs qui lui sont conférés par la *Loi des mesures de guerre*, chapitre 206 des Statuts revisés du Canada, 1927, de modifier par les présentes les Règlements concernant la défense du Canada (Codification) 1941,* en y ajoutant l'article suivant comme article 39E:

39E. (1) Après la date du présent article, et pendant la durée de l'état de guerre existant actuellement, aucune personne de race japonaise et aucune compagnie japonaise n'auront la capacité, sauf de la manière prescrite ci-après, d'acquérir ou de détenir des terres ou des récoltes sur pied au Canada.

(2) Aucun transfert fait ou souscrit après la date du présent article n'aura pour effet de transférer des terres ou des récoltes sur pied au Canada à une personne de race japonaise ou à une compagnie japonaise, ou à son bénéfice.

(3) (*a*) Rien dans le présent article ne privera une personne de race japonaise ou une compagnie japonaise de la capacité de détenir des terres

*(C.P. 5295) 15 juillet 1941.

crops acquired or held by such person or company before the date of this regulation or acquired by such person or company after the date of this regulation pursuant to the terms of a written contract or agreement executed before the date of this regulation or under a will or on intestacy.

(*b*) Nothing in this regulation shall deprive a person of the Japanese race of capacity to lease any building or part of a building for residential purposes only, for a term not exceeding one year or from month to month or for some lesser periodic tenancy.

(4) (*a*) The Minister of Justice may, if it appears to him to be in the public interest so to do, grant to a person of the Japanese race or to a Japanese company, a licence to acquire or hold land or growing crops in Canada or any interest therein which such person or company would by reason of this regulation be denied the capacity to acquire or hold.

(*b*) A person of the Japanese race or a Japanese company to whom or to which such a licence is granted shall have the capacity to acquire or hold land or growing crops in Canada or any interest therein in accordance with the terms and conditions of such licence.

(*c*) A conveyance of land or growing crops made in conformity with any such licence shall be effective according to its terms.

(5) Any person who after the date of this regulation, makes or executes any conveyance other than a conveyance made in conformity with a licence granted hereunder or a lease granted in accordance with subsection (*b*) of section 3 of these regulations, of any land or growing crops to or for the benefit of any person whom he knows to be of the Japanese race or to a company which he knows to be a Japanese company shall be guilty of an offence and liable on summary conviction to a fine not exceeding $500.00 or to imprisonment for a term not exceeding three months.

(6) In this regulation:

(a) "Conveyance" shall include a gift, conveyance, transfer, agreement for sale, appointment, lease, settlement, mortgage, charge, encumbrance, or other conveyance by deed, bill of sale or other instrument made *inter vivos,* and "convey" shall have a meaning corresponding with "conveyance".

(*b*) "Japanese company" means any corporation of which the majority of the shares issued by the company are owned by persons of the Japanese race, or of which a majority of the Directors are persons of the Japanese race.

(*c*) "Land" shall include land and any real or immovable property and any interest, legal or equitable therein and the right to possession thereof.

(*d*) "Person of the Japanese race" means, as well as any person wholly of the Japanese race, a person not wholly of the Japanese race if his father or mother is of the Japanese race and if the Commissioner of the Royal Canadian Mounted Police by notice in writing requires him to register pursuant to Order in Council P.C. 9760 of December 16, 1941.

A. D. P. HEENEY,
Clerk of the Privy Council.

36-1

OTTAWA: Printed by EDMOND CLOUTIER, Printer to the King's Most Excellent Majesty.

ou des récoltes sur pied acquises ou détenues par cette personne ou compagnie avant la date du présent article ou acquises par cette personne ou compagnie après la date du présent article conformément aux termes d'un contrat ou accord écrit conclu avant la date du présent article, ou en vertu d'un testament ou *ab intestat*.

(*b*) Rien dans le présent article ne privera une personne de race japonaise de la capacité de louer à bail un immeuble ou une partie d'immeuble, pour des fins de résidence uniquement, pour une durée ne dépassant pas une année, ou de mois en mois, ou pour des locations de moindre durée.

(4) (*a*) Le ministre de la Justice peut, s'il le juge conforme à l'intérêt public, accorder à une personne de race japonaise ou à une compagnie japonaise, un permis d'acquérir ou de détenir des terres ou des récoltes sur pied au Canada, ou tout intérêt sur ces terres ou récoltes, que le présent article lui enlèverait la capacité d'acquérir ou de détenir.

(*b*) Une personne de race japonaise ou une compagnie japonaise à qui un tel permis est accordé aura la capacité d'acquérir ou de détenir des terres ou des récoltes sur pied au Canada ou tout intérêt sur ces terres ou récoltes sur pied, conformément aux termes et conditions dudit permis.

(*c*) Un transfert de terre ou de récolte sur pied exécuté conformément à un tel permis entrera en vigueur conformément aux termes dudit permis.

(5) Toute personne qui, après la date du présent article, fait ou souscrit un transfert, autre qu'un transfert accompli conformément à un permis accordé en vertu du présent article ou qu'un bail conclu conformément à l'alinéa (*b*) du paragraphe 3 des présents Règlements, de terres ou de récoltes sur pied à une personne qu'il sait être de la race japonaise, ou à son bénéfice, ou à une compagnie qu'il sait être une compagnie japonaise, sera coupable d'une infraction et passible, sur déclaration sommaire de culpabilité, d'une amende ne dépassant pas $500.00 ou d'un emprisonnement pour une durée ne dépassant pas trois mois.

(6) Dans le présent article:

(*a*) "Transfert" comprend don, transport, mutation, contrat de vente, affectation, bail, règlement, hypothèque, charge, servitude, ou autre transfert par acte, contrat de vente ou autre instrument fait entre vifs, et "transférer" aura une signification correspondante à celle de "transfert".

(*b*) "Compagnie japonaise" signifie une corporation où la majorité des actions émises par la compagnie appartiennent à des personnes de race japonaise, ou dont la majorité des administrateurs sont des personnes de race japonaise.

(*c*) "Terre" comprend la terre et tout bien-fonds ou propriété immobilière et tout intérêt, suivant la loi ou suivant l'équité, le droit de possession, sur la terre, le bien-fonds ou la propriété immobilière.

(*d*) "Personne de race japonaise" signifie, aussi bien que toute personne entièrement de la race japonaise, une personne qui n'est pas entièrement de la race japonaise si son père ou sa mère est de la race japonaise, et si le Commissaire de la Royale gendarmerie à cheval du Canada lui enjoint par avis écrit de s'inscrire conformément à l'arrêté en conseil C.P. 9760 du 16 décembre 1941.

A.-D.-P. HEENEY,
Greffier du Conseil privé.

36-1

OTTAWA—EDMOND CLOUTIER, Imprimeur de Sa Très Excellente Majesté le Roi.

P.C. 1666

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 4th day of MARCH, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS by Order in Council P.C. 1665, dated 4th March, 1942, the British Columbia Security Commission has been constituted and established, and provision has been made for an Advisory Committee;

AND WHEREAS it is deemed expedient that the Members of the Commission and of the Committee should be appointed forthwith.

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Right Honourable W. L. MacKenzie King the Prime Minister, is pleased to appoint and doth hereby appoint the following persons as Members of the British Columbia Security Commission established under the provisions of Order in Council P.C. 1665, dated 4th March, 1942, to hold office during pleasure:

Austin C. Taylor, Chairman;
Assistant Commissioner J.N. Mead,
Royal Canadian Mounted Police;
Assistant Commissioner John Shirras,
B.C. Provincial Police

His Excellency in Council, on the same recommendation is further pleased to appoint and doth hereby appoint the following persons as Members of the Advisory Committee established under the provisions of Order in Council P.C. 1665, dated 4th March, 1942, to hold office during pleasure:

Hon. R. L. Maitland, Attorney General of B.C. - Victoria;
Hon. George Pearson, Minister of Labour, Victoria;
Harold E. Winch, Leader of the Opposition in B.C. - Victoria;
Captain M. C. Robinson - Vancouver;
Major Hamish Hamilton - Vancouver;
Dr. Lyall Hodgins - Vancouver;
General J. A. Clark - Vancouver;
G. Lyall Fraser - Vancouver;
Wendell B. Farris, K.C. - Vancouver;
R. M. Harnett - Vancouver;
A. D. Darlington - Vancouver;
R. H. B. Ker - Victoria;
William Mott - New Westminster;
J. McKimmon - Mission City;
R. G. Rutherford - Kelowna;
Mrs. Mary Sutherland - Revelstoke;
Mrs. Evelyn M. Scurrah - Victoria;
Bert Showler - Vancouver;
E. R. Morton - Vancouver;
George W. Nickerson - Prince Rupert.

A. D. P. HEENEY,
CLERK OF THE PRIVY COUNCIL.

P.C. 3737

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 5th May, 1942.

The Committee of the Privy Council have had before them a report, dated 2nd May, 1942, from the Minister of Fisheries, stating:-

That the Committee, under the chairmanship of the Honourable Justice Sidney A. Smith, appointed under the authority of the War Measures Act to supervise the disposition of impounded fishing vessels and equipment owned by persons of Japanese racial origin in British Columbia, was authorized, inter alia,-

> To report on claims which may be made on the Government for damage to, or deterioration of, the vessels and equipment while under detention;

That the Committee has reported that in the process of immobilizing the vessels, and while such were under impoundment, certain hull damage and equipment losses occurred incidental to the large-scale impounding action under emergent conditions, and in the opinion of the Committee there is a responsibility to the owners to make good such damage or loss as may be judged fair compensation under the circumstances;

That the Committee, based on the joint reports of its Marine Surveyors and those of the Department of National Defence for Naval Services, is in a position to recommend a fair and equitable settlement of such damage claims under general principles, as follows:

> (a) Vessels sunk during impoundment. Cost of raising and reconditioning to place machinery in running condition, making hull reasonably water-tight and providing one priming coat of paint.
>
> (b) Other hull and engine damage. Cost of reconditioning on satisfactory assurance that damage occurred while under impoundment.
>
> (c) Equipment losses. Allowance based on a sufficiency for the safe operation of vessel, conditional upon there being satisfactory evidence that such equipment was aboard when vessel was impounded. Due consideration to be given to depreciated values.
>
> (d) Disallowed items. Claims for skiffs or lifeboats or galley equipment and personal effects to be disallowed.

.....

That the Committee, in its disposal operations to date, has taken steps in collaboration with the Commanding Officer, Pacific Coast, Department of National Defence for Naval Services, following the aforementioned principles, to determine the amount of fair and equitable settlement of damage claims of individual boats to permit disposal negotiations to proceed without interruption and in the interest of enabling release of the vessels as quickly as possible for employment in the fishing industry.

That it is desirable all claims be dealt with as expeditiously as possible to further facilitate the work of the Committee.

The Minister, therefore, with the concurrence of the Minister of National Defence for Naval Services, recommends, under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, that the Minister of Fisheries be granted authority whereby he may approve and make payment in settlement of claims made upon the Government for damage to, and deterioration of, impounded fishing vessels and equipment (including repairs arising from such damage or deterioration) owned by persons of Japanese racial origin that may be recommended, following the principles aforementioned, by the Committee appointed by Order in Council of January 13th, 1942, P.C. 288, for the disposition of such vessels and equipment and that the sum of $80,000.00 be made available for such purpose from the War Appropriation.

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

A.D.P. Heeney,

Clerk of the Privy Council.

Order in Council establishing regulations re agricultural land owned by Japanese.

P.C. 5523

AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 29th day of JUNE, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS the Minister of Mines and Resources and the Minister of Pensions and National Health report that persons of the Japanese race ordinarily resident in the protected areas of British Columbia have been required by Orders of the Minister of Justice, under Regulation 4 of the Defence of Canada Regulations (Consolidation) 1941, to leave such protected areas;

That many such persons of the Japanese race were or are engaged in agriculture and have been or shall be compelled to abandon farming operations on lands owned by them or by companies which they control;

That it is in the public interest to ascertain the actual number of such Japanese farms, to carry out an appraisement of their present day value, and to consolidate the control of the disposition of these lands by sale, lease, or otherwise;

AND WHEREAS the Ministers are of opinion that by reason of the state of war now existing it is advisable for the security, peace, order and welfare of Canada to make provision for the matters aforesaid;

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Mines and Resources and the Minister of Pensions and National Health and under the authority of 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:-

- R E G U L A T I O N S -

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

(a) "Director" means the Director of Soldier Settlement of Canada;

(b) ""Japanese Company" means any corporation of which the majority of the shares issued by it are owned by persons of the Japanese race, or of which the majority of the directors are persons of the Japanese race;

(c) "Agricultural land" means land and any real or immovable property and any interest, legal or equitable therein, and the right to possession thereof, situated otherwise than within the boundaries of any incorporated city or town;

(d) "Minister" means the Minister of Mines and Resources;

(e) "Person of the Japanese race" means any person wholly of the Japanese race;

(f) "protected area in British Columbia" means any area in the Province of British Columbia, now or hereafter declared, pursuant to the provisions of Regulation 4 of the Defence of Canada Regulations (Consolidation) 1941, to be a protected area for the purposes of such Regulation.

2. Except with the approval in writing of the Director and in accordance with any terms or conditions therein set out, no person shall, after the date hereof,

(i) purchase, lease or otherwise acquire or agree to purchase, lease or otherwise acquire, or

(ii) either for himself or on behalf of the owner, sell lease or otherwise dispose of or agree to sell, lease or otherwise dispose of,

any agricultural land in a protected area of British Columbia, owned by any person of the Japanese race or by any Japanese Company.

3. The Director may, in his sole discretion, refuse to approve or approve, either unconditionally or subject to such terms or conditions as to him seem fair and reasonable, the purchase, sale, lease or other acquisition or disposition, or any agreement therefor, of any agricultural land in a protected area of British Columbia owned by any person of the Japanese race or by any Japanese company.

4. The Director shall cause an appraisal to be made of the fair present-day value of all agricultural lands in any protected area of British Columbia owned by persons of the Japanese race or by Japanese companies, and shall report thereon to the Minister.

5. Any person authorized in writing by the Director to act as an inspector under these regulations may, for the purpose of making any appraisal under the last preceding section, or for the purpose of ascertaining whether any person of the Japanese race or any Japanese company is the owner of any agricultural land in a protected area of British Columbia, or for the purpose of determining whether the provisions of these regulations are being or have been complied with,

(i) enter at all reasonable times and inspect any agricultural land in a protected area of British Columbia, owned by any person of the Japanese race or by any Japanese company, or which is reasonably believed by such inspector to be or to have been owned by any such person or company;

(ii) examine orally any person occupying or having any interest in agricultural land in a protected area of British Columbia, which is reasonably believed by such inspector to be or to have been owned by a person of the Japanese race or a Japanese company;

(iii) require any person occupying or having any interest in agricultural land in a protected area of British Columbia, which is reasonably believed by such inspector to be owned by a person of the Japanese race or a Japanese Company, or having in his possession any documents relating to any such land, to furnish any information in his possession or such documents to such inspector.

6. The production by any person of any document purporting to be signed by the Director and purporting to authorize such person to act as an inspector under these regulations, shall be evidence of the authority of such person to act as an inspector.

7. Any person,

(i) who purchases, leases, or otherwise acquires, or sells, leases or otherwise disposes of or agrees to purchase, lease or otherwise acquire, or to sell, lease or otherwise dispose of, any agricultural land in any protected area of British Columbia, owned by any person of the Japanese race or by any Japanese company otherwise than in accordance with these regulations; or

(ii) who wilfully delays or obstructs an inspector in the exercise of any power conferred upon him under these regulations; or

(iii) who fails to give any information or to produce any documents in his possession if required to do so under these regulations; or

(iv) who refuses to reply to any reasonable question asked him by an inspector acting under these regulations,

shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding one thousand dollars or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

8. The burden of proof that any purchase, sale, lease or other acquisition or disposition, or any agreement therefor, of any agricultural land in a protected area of British Columbia, is not a violation of any of the provisions of these regulations, shall be upon the accused.

9. Nothing in these regulations shall be deemed to apply to, or to affect enemy property as defined by the CONSOLIDATED REGULATIONS RESPECTING TRADING WITH THE ENEMY (1939).

10. All expenses or costs incurred by the Director in connection with this Order shall be payable out of the moneys appropriated by Parliament to carry out measures deemed necessary in consequence of a state of war.

SGD. A. D. P. Heeney

Clerk of the Privy Council.

Order in Council authorizing that boats and equipment owned by persons of the Japanese race, be vested in and subject to the control of the Custodian of Enemy Property

AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 20th day of JULY, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS the Minister of Fisheries reports that by virtue of the authority of Order in Council of December 16th, 1941, P.C. 9761, vessels used or operated by persons of the Japanese race within waters adjacent to the West Coast of Canada were seized and detained;

That under the supervision of the Committee, under the Chairmanship of Honourable Justice Sidney A. Smith of Vancouver, appointed by Order in Council of January 13th, 1942, P.C. 288, for the disposal of vessels and equipment so seized and detained, 1,027 vessels of a total of 1,265 vessels registered with the Committee have been disposed of;

That under its terms of reference the Committee so organized the disposal arrangements to first assure that boats and equipment would be available to the British Columbia fishing industry as might be needed to maintain essential fisheries production;

That the Committee has reported having achieved this objective up to the point where little further absorption may be immediately expected by the British Columbia fishing industry excepting such vessels as may be disposed of in the course of the next two or three weeks;

That pursuant to the duty attached to it s appointment,-

To report on steps that should be taken to dispose of vessels which the present owners are unable to sell, charter, lease or otherwise transfer,

the Committee has reported that while the market has not yet been completely exhausted, the bulk of the remaining 238 vessels will have to be stored for a considerable period particularly as in general, the best vessels have already been disposed of;

That the Committee is of the opinion, after consideration of all factors involved, that

....

responsibility for administration of remaining boats and equipment might logically be turned over to the Custodian of Enemy Property, who is now administering other properties of persons of the Japanese race in British Columbia; and

That it is important that personnel of the Department of National Defence for Naval Services, presently employed in the care and maintenance of the remaining vessels, should be released for urgent duties elsewhere at the earliest possible moment;

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Fisheries, concurred in by the Secretary of State and under and by virtue of the powers conferred by the War Measures Act, Chapter 206, Revised Statutes of Canada 1927, is pleased, notwithstanding anything contained in the Regulations established by Order in Council of March 4th, 1942, P.C. 1665, as amended by Order in Council of March 27th, 1942, P.C. 2483, to order and it is hereby ordered as follows:

1. As a protective measure only all vessels and equipment seized and detained under the authority of Order in Council of December 16th, 1941, P.C. 9761, which have not been disposed of under the supervision of the Committee appointed by Order in Council of January 13th, 1942, P.C. 288, shall on and after August 1st, 1942, be vested in and subject to the control and management of the Custodian, as defined in the Consolidated Regulations Respecting Trading with the Enemy, (1939); provided, however, that no commission shall be charged by the Custodian in respect to such control and management.

2. For the purpose 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 the property belonged to an enemy within the meaning of the said Consolidated Regulations.

3. All unfinished business of such Committee in respect of any vessels or equipment vested in the Custodian pursuant to these Regulations, shall on and after August 1st, 1942, be transferred to the Custodian.

4. Such arrangements as will make it possible for the present owners of any vessels or equipment vested in the Custodian pursuant to this Order to freely negotiate for charters, leases or sales of such vessels and equipment as they own to persons other than those of Japanese origin, shall be made by the Custodian, provided that the Custodian approves of such charters, leases or sales, which approval shall be a prerequisite for the use of such vessels and equipment in any capacity.

A.D.P. Heeney,

Clerk of the Privy Council.

Order in Council amending regulations re agricultural land owned by persons of the Japanese race.

P. C. 6885

AT THE GOVERNMENT HOUSE AT OTTAWA

Tuesday, the 4th day of August, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Mines and Resources and the Minister of Pensions and National Health report that substantial progress has been made by the Director of Soldier Settlement in appraising the value of all agricultural lands in any protected area of British Columbia owned by persons of the Japanese race or by Japanese Companies;

And whereas the regulations made by Order in Council P.C. 5523, dated 29th June, 1942, provide, in Section 3, that the Director may, in his sole discretion, exercise the powers therein contained;

And whereas the Ministers are of the opinion that in the absence of the Director the powers conferred on him by the said regulations should not lapse but should be performed by an officer named by the Minister during the absence of the Director;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Mines and Resources and the Minister of Pensions and National Health and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to amend the regulations made by Order in Council P.C. 5523, dated 29th June, 1942, and they are hereby amended by revoking Section 3 thereof and substituting the following therefor,--

3. The Director may, at his discretion, approve or refuse to approve, either unconditionally or subject to such terms or conditions as to him seem fair and reasonable, the purchase, sale, lease or other acquisition or disposition, or any agreement therefor, of any agricultural land in a protected area of British Columbia owned by any person of the Japanese race or by any Japanese Company.

(1) In the absence of the Director an officer named by the Minister shall have the powers and perform the duties of the Director with regard to all matters herein contained.

(Sgd.) H. W. LOTHROP,
Asst. Clerk of the Privy Council.

OFFICE CONSOLIDATION

Order in Council authorizing that boats and equipment owned by persons of the Japanese race be vested in and subject to the control of the Custodian of Enemy Property

P.C. 6247

(amended by P.C. 469, January 19, 1943)

AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 20th day of JULY, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Fisheries reports that by virtue of the authority of Order in Council of December 16th, 1941, P.C. 9761, vessels used or operated by persons of the Japanese race within waters adjacent to the West Coast of Canada were seized and detained;

That under the supervision of the Committee, under the chairmanship of Honourable Justice Sidney A. Smith of Vancouver, appointed by Order in Council of January 13th, 1942, P.C. 288, for the disposal of vessels and equipment so seized and detained, 1,027 vessels of a total of 1,265 vessels registered with the Committee have been disposed of;

That under its terms of reference the Committee so organized the disposal arrangements to first assure that boats and equipment would be available to the British Columbia fishing industry as might be needed to maintain essential fisheries production;

That the Committee has reported having achieved this objective up to the point where little further absorption may be immediately expected by the British Columbia fishing industry excepting such vessels as may be disposed of in the course of the next two or three weeks;

That pursuant to the duty attached to its appointment,--

To report on steps that should be taken to dispose of vessels which the present owners are unable to sell, charter, lease or otherwise transfer, the Committee has reported that while the market has not yet been completely exhausted, the bulk of the remaining 238 vessels will have to be stored for a considerable period particularly as in general, the best vessels have already been disposed of;

That the Committee is of the opinion, after consideration of all factors involved, that responsibility for administration of remaining boats and equipment might logically be turned over to the Custodian of Enemy Property, who is now administering other properties of persons of the Japanese race in British Columbia; and

That it is important that personnel of the Department of National Defence for Naval Services, presently employed in the care and maintenance of the remaining vessels, should be released for urgent duties elsewhere at the earliest possible moment;

....

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Fisheries, concurred in by the Secretary of State and under and by virtue of the powers conferred by the War Measures Act, Chapter 206, Revised Statutes of Canada 1927, is pleased, notwithstanding anything contained in the Regulations established by Order in Council of March 4, 1942, P.C. 1665, as amended by Order in Council of March 27, 1942, P.C. 2483, to order and it is hereby ordered as follows:--

1. As a protective measure only all vessels and equipment seized and detained under the authority of Order in Council of December 16, 1941, P.C. 9761, which have not been disposed of under the supervision of the Committee appointed by Order in Council of January 13, 1942, P.C. 288, shall on and after August 1, 1942, be vested in and subject to the control and management of the Custodian, as defined in the Consolidated Regulations Respecting Trading with the Enemy (1939); provided, however, that no commission shall be charged by the Custodian in respect to such control and management.

2. For the purpose 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 the property belonged to an enemy within the meaning of the said Consolidated Regulations.

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. (amended by P.C. 469 January 19, 1943)

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. (as amended by P.C. 469, January 19, 1943)

A.D.P. Heeney,

Clerk of the Privy Council.

Order in Council revoking P.C. 5523, dated 29th June, 1942 and P.C. 6885, dated 20th July, 1942 - transfer to the Custodian of the property of persons of the Japanese race evacuated from the protected areas of B.C.

P. C. 469

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 19th day of JANUARY, 1943.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL -

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;

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

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 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

Canada/

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.

Certified to be a true copy.

A.D.P.Heeney.

Clerk of the Privy Council.

Order in Council amending Defence of Canada Regulations (Consolidation) 1942.

P.C. 9702

AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 20th day of DECEMBER, 1943.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL --

His Excellency the Governor General in Council, on the recommendation of the Minister of Justice and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to amend the Defence of Canada Regulations (Consolidation), 1942, and they are hereby amended by revoking clause (b) of paragraph 3 of Regulation 39E thereof and substituting therefor the following:

"(b) Nothing in this Regulation shall deprive a person of the Japanese race of capacity to lease any building or part of a building for a term not exceeding one year or from month to month or for some lesser periodic tenancy."

Certified to be a true copy.

A. D. P. Heeney,
Clerk of the Privy Council.

Order in Council amending the Defence of Canada Regulations

P.C. 3797

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 19th day of MAY, 1944.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS the Minister of Justice reports that representations have been made by the Attorney General of British Columbia and others to the effect that, notwithstanding the provisions of regulation 39E of the Defence of Canada Regulations, property is from time to time being transferred to persons to be held by them on behalf of persons of the Japanese race;

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to amend regulation 39E of the Defence of Canada Regulations and it is hereby amended by inserting immediately after paragraph (5) thereof the following:-

> "(5A) Every person who acquires or holds land or growing crops for the benefit of any person known to him to be of the Japanese race or a company known to him to be a Japanese company 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 three months."

A.D.P. Heeney,

Clerk of the Privy Council.

P. C. 987

AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 9th day of FEBRUARY, 1942.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS the Minister of Fisheries reports that the Committee under the Chairmanship of the Honourable Justice Sidney A.Smith of Vancouver, appointed under the authority of the War Measures Act to supervise the disposal of impounded fishing vessels and equipment owned by persons of Japanese racial origin in British Columbia, was empowered inter alia, -

(a) To make such arrangements as will make it possible for the present owners of detained vessels to freely negotiate for charters, leases, or sales of such vessels as they own to persons other than those of Japanese origin, provided that the Committee approve of such charters, leases, or sales, which approval shall be a prerequisite for the use of such vessel under fishing license.

(b) Where necessary, to arbitrate disagreements on price between owners and intending purchasers with a view to preventing advantage being taken of duress.

That the Committee has proposed that a disposal charge of one per centum on all monies involved in transactions for the disposal of the vessels and equipment coming within its terms of reference should be made, having in mind that the expenses of the Committee will be substantially greater than originally estimated, due to the large number of claims for damages to vessels while in custody, necessitating additional expenses for services of competent marine surveyors; and has reported that Mr. Kishizo Kimura, one of the members of the Committee, has stated the Japanese owners are willing to subscribe to this expense.

Now/

NOW, THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Minister of Fisheries and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to authorize and doth hereby authorize the Committee appointed by Order in Council of January 13th, 1942, P.C. 288, for the disposal of immobilized fishing vessels and equipment in British Columbia, owned by persons of Japanese racial origin, to impose and collect a charge of one per centum on all monies involved in transactions for the disposal of such vessels and equipment, whether by charters, leases or sales, and that all such funds shall be remitted promptly to the Receiver General of Canada for inclusion in the Consolidated Revenue Account.

Sgd. A.D.P.Heeney

Clerk of the Privy Council.

Order in Council amending P.C. 946, February 5th, 1943, re Japanese.

P.C. 5973

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 14th day of SEPTEMBER, 1945.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, and under the authority of the War Measures Act, is pleased to amend the regulations established by Order in Council P.C. 946 of the 5th day of February, 1943, and they are hereby further amended by ading immediately after Regulation 3A thereof the following:

"3B.(1) No person of the Japanese race and no Japanese company shall, except as hereinafter provided, have the capacity, after the twenty-fourth day of February, 1942, during the continuation of the state of war now existing to acquire or hold land or growing crops in Canada.

(2) No conveyance made or executed after the twenty-fourth day of February, 1942, shall be effective to convey to or for the benefit of a person of the Japanese race or of a Japanese company any land or growing crops in Canada.

(3) (a) Nothing in this Regulation shall deprive a person of the Japanese race or a Japanese company of capacity to hold land or growing crops acquired or held by such person or company before the twenty-fourth day of February, 1942, or acquired by such person or company after the twenty-fourth day of February, 1942, pursuant to the terms of a written contract or agreement executed before the twenty-fourth day of February, 1942, or under a will or intestacy.

(b) Nothing in this Regulation shall deprive a person of the Japanese race of capacity to lease any building or part of a building for a term not exceeding one year or from month to month or for some lesser periodic tenancy.

(4) (a) The Minister of Labour may, if it appears to him to be in the public interest so to do, grant to a person of the Japanese race or to a Japanese company, a licence to acquire or hold land or growing crops in Canada or any interest therein which such person or company would by reason of this Regulation be denied the capacity to acquire or hold.

(b) A person of the Japanese race or a Japanese company to whom or to which such a licence is granted shall have the capacity to acquire or hold land or growing crops in Canada or any interest therein in accordance with the terms and conditions of such licence.

(c) A conveyance of land or growing crops made in conformity with any such licence shall be effective according to its terms.

(5)/

(5) Any person who after the twenty-fourth day of February, 1942, makes or executes any conveyance other than a conveyance made in conformity with a licence granted hereunder or a lease granted in accordance with sub-paragraph (b) of paragraph (3) of this Regulation, of any land or growing crops to or for the benefit of any person whom he knows to be of the Japanese race or to a company which he knows to be a Japanese company 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 three months.

(5A) Every person who acquires or holds land or growing crops for the benefit of any person known to him to be of the Japanese race or a company known to him to be a Japanese company 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 three months.

(6) In this Regulation:

(a) "conveyance" shall include a gift, conveyance, transfer, agreement for sale, appointment, lease, settlement, mortgage, charge, encumbrance, or other conveyance by deed, bill of sale or other instrument made inter vivos, and "convey" shall have a meaning corresponding with "conveyance";

(b) "Japanese company" means any corporation of which the majority of the shares issued by the company are owned by persons of the Japanese race, or of which a majority of the directors are persons of the Japanese race;

(c) "land" shall include land and any real or immovable property and any interest, legal or equitable therein and the right to possession thereof;

(d) "person of the Japanese race" means a person wholly of the Japanese race."

A.D.P. Heeney,

Clerk of the Privy Council.

Order in Council revoking several Orders re Japanese

P.C. 269

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 23rd day of JANUARY, 1947.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

His Excellency the Governor General in Council, on the recommendation of the Minister of Labour and under the authority of The National Emergency Transitional Powers Act, 1945, is pleased to revoke and doth hereby revoke the following Orders in Council:

No. and date	Subject
9760, Dec. 16, 1941	registration of Japanese
9761, Dec. 16, 1941	control of vessels operated by persons of the Japanese race
1348, Feb. 19, 1942 as amended	establishment of Work Camps
10773, Nov. 26, 1942	revocation of naturalization of persons repatriated to enemy states
7356, Dec. 15, 1945	deportees in pursuance of P.C. 7355 to cease to be British subjects or Canadian Nationals
7357, Dec. 15, 1945	Commission of Inquiry into activities, loyalty, etc. of Japanese.

A.D.P. Heeney,

Clerk of the Privy Council.

Order in Council amending two Orders re Japanese.

P.C. 271

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 23rd day of JANUARY, 1947.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

His Excellency the Governor General in Council, on the recommendation of the Secretary of State and under the authority of the National Emergency Transitional Powers Act, 1945, is pleased to order as follows:

1. Order in Council P.C. 6247 of July 20, 1942, (re Japanese-owned fishing vessels) is hereby revoked.
2. The preamble of Order in Council P.C. 469 of January 19, 1943 (transferring to the Custodian property of persons of the Japanese race evacuated from protected areas) is hereby revoked except the fifth and sixth paragraphs thereof.
3. The operative portion of the said Order in Council P.C. 469 is hereby revoked other than the last paragraph thereof, commencing "Wherever, under Orders in Council...

A.D.P. Heeney,

Clerk of the Privy Council.

Copy A7 P.C. 269

PRIVY COUNCIL

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 23rd day of JANUARY, 1947.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

His Excellency the Governor General in Council, on the recommendation of the Minister of Labour and under the authority of The National Emergency Transitional Powers Act, 1945, is pleased to revoke and doth hereby revoke the following Orders in Council:

No. and date	Subject
9760, Dec. 16, 1941	registration of Japanese
9761, Dec. 16, 1941	control of vessels operated by persons of the Japanese race
1348, Feb. 19, 1942 as amended	establishment of Work Camps
10773, Nov. 26, 1942	revocation of naturalization of persons repatriated to enemy states
7356, Dec. 15, 1945	deportees in pursuance of P.C. 7355 to cease to be British subjects or Canadian Nationals
7357, Dec. 15, 1945	Commission of Inquiry into activities, loyalty, etc. of Japanese.

(Sgd) A.D.P. Heeney
Clerk of the Privy Council.

The Honourable
the Minister of Labour.

COPY

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P.C. 5638

PRIVY COUNCIL
CANADA

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 27th day of JANUARY, 1949.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

His Excellency the Governor General in Council, under and by virtue of the power conferred by Section 4 of The Continuation of Transitional Measures Act, 1947, is pleased to revoke and doth hereby revoke, effective the twenty-eight day of February, 1949, the following Orders in Council made under authority of the War Measures Act and continued in force by the said The Continuation of Transitional Measures Act, 1947:

Orders in Council	Date of Orders	Subject Matter
P.C. 1665	March 4, 1942	Administration by Custodian of property of persons of the Japanese race,
		as amended by Orders in Council P.C. 2483 of 27th March 1942, P.C. 2541 of 30th March 1942, P.C. 3213 of 21st April 1942, and P.C. 946 of 5th February 1943.
P.C. 469	January 19, 1943	Transfer to Custodian of property of Japanese evacuees,
		as amended by Order in Council P.C. 271 of 23rd January 1947.
P.C. 7355	December 15, 1945	Financial assistance to voluntary repatriates to Japan and for liquidation and transfer of their assets to Japan,
		as amended by Order in Council P.C. 268 of 23rd January 1947.

(sgd.) A.D.P. Heeney
Clerk of the Privy Council

The Honourable
The Minister of Labour