

Order in Council amending P.C. 1665—

*British Columbia Security Commission;
defining "Person of Japanese Race"*

P.C. 2483

AT THE GOVERNMENT HOUSE AT OTTAWA

Friday, the 27th day of March, 1942.

PRESENT :

His Excellency

The Governor General in Council:

Whereas by Order in Council P.C. 1665 dated March 4, 1942, the British Columbia Security Commission was established for the purpose of planning, supervising and directing the evacuation from the protected areas of British Columbia of all persons of the Japanese race and for such purpose was empowered to determine amongst other things all matters relative to the placement of such persons;

And whereas it is represented to the Minister of Justice that it is desirable to provide that any plan with regard to the placement of such persons be limited to making provision for the temporary placement only of such persons during the continuation of the state of war now existing and that the authority of the Commission should include power to vary or amend any placement order;

And whereas recommendations have been made to the Minister of Justice by the British Columbia Security Commission to the effect that a greater degree of protective control over persons of the Japanese race and the property of such persons be provided for than was provided by the Order establishing the Commission, above referred to;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice and under and by virtue of the powers conferred by the War Measures Act, Chapter 206, R.S.C., 1927, is pleased to amend the Regulations established by Order in Council P.C. 1665 dated March 4, 1942, as follows:

1. Regulation one is hereby amended by adding thereto the following paragraph:

“(bb) ‘Person of the Japanese race’ means any person of the Japanese race required to leave any protected area of British Columbia by Order of the Minister of Justice under Regulation 4, as amended, of the Defence of Canada Regulations (Consolidation) 1941.”

Excerpt from Order-in-Council PC 1942-1665,
LAC, RG2-A-1-a, Vol. 1750, File 2516G.

2. Regulation 10 is hereby amended by adding thereto the following paragraphs:
 - (5) “Any such plan or plans shall make provision for the temporary placement only of such persons during the continuation of the state of war now existing.”
 - (6) “The Commission's authority relative to the placement of persons shall include power to vary or amend any placement order.”
3. Regulation 11 is hereby amended by rescinding paragraphs two thereof and substituting thereof the following:
 - (2) “The Commission may make orders respecting the conduct, activities and discipline of any person of the Japanese race who is within any protected area or who is ordinarily resident within any protected area but who has left or leaves such area after February 5, 1942.”
4. Regulation 12 is hereby rescinded and the following substituted thereof:
 - (12) “(1) Subject as hereinafter in this Regulation provided, as a protective measure only, all property situated in any protected area of British Columbia belonging to any person of the Japanese race (excepting fishing vessels subject to Order in Council P.C. 288 of January 13, 1942, and deposits of money, shares of stock, debentures, bonds or other securities) delivered up to any person by the owner pursuant to an order of the Minister of Justice, or which is turned over to the Custodian by or on behalf of the owner, or which the owner, on being evacuated from the protected area, is unable to take with him, shall be vested in and subject to the control and management of the Custodian as defined in the Regulations Respecting Trading with the Enemy, (1939); provided, however, that no commission shall be charged by the Custodian in respect of such control and management.

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

“(3) For the purposes of the control and management of -such property by the Custodian, the Consolidated Regulations Respecting Trading with the Enemy, (1939), shall apply mutatis mutandis to the same extent as if the property belonged to an enemy within the meaning of the said Consolidated Regulations.”

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