



Power to require inhabitants to remain indoors.

4. The competent naval or military authority may by order require every person within an area specified in the order to remain within doors between such hours as may be specified in the order, and in such case, no person within that area shall remain out between such hours without a permit in writing from the competent naval or military authority or some person duly authorised by him.

Prohibition against obtaining and communicating naval and military information.

5. No person shall without lawful authority collect, record, publish or communicate, or attempt to elicit, any information with respect to the movement, numbers, description, condition or disposition of any of the forces, ships or aircraft of His Majesty or His Majesty's Allies, or with respect to the plans or conduct, or supposed plans or conduct, of any naval or military operations by any such forces, ships or aircraft, or with respect to the supply, description, condition, transport, or manufacture or storage or place or intended place or manufacture or storage, of war material, or with respect to any works or measures undertaken for or connected with, or intended for the fortification or defence of any place, or any information of such a nature as is calculated to be or might be directly or indirectly useful to the enemy, and no person shall without lawful authority or excuse have in his possession any document containing any such information as aforesaid.

Prohibition against communications with spies.

6. No person shall without lawful authority or excuse be in communication with or attempt to communicate with a spy, unless he proves that he did not know, and had no reason to suspect, that the person with whom he so communicated or attempted to communicate was a spy.

For the purposes of this regulation -

- (a) a person shall, unless he proves the contrary, be deemed to be in communication with a spy if the name or address or any other information regarding a spy is found in his possession, or is supplied by him to any other person, in such circumstances as to give reasonable ground for suspecting that he is in communication with the spy;
- (b) The expression "spy" includes any person who has committed or attempted to commit an offence under regulation 5 and who is reasonably suspected of having done so with the intention of assisting the enemy, and any person out of the Dominion of Canada who is or is reasonably suspected of being a person to whom information has been communicated or attempted to be communicated in contravention of that regulation;
- (c) any address, whether within or without the Dominion of Canada, reasonably suspected of being an address used for the receipt of communications intended for the enemy shall be deemed to be the address of a spy, and communications addressed to that address to be communications with a spy.

7. No person shall, without the permission of the competent naval or military authority, make any photograph, sketch, plan, model or other representation of:-

Prohibition  
against photo-  
graphing, sketch-  
ing &c., naval  
and military works.

- (a) any place or thing within any area for the time being specified in an order made by the competent naval or military authority, with the approval of the Minister of the Department of the Naval Service, or of the Minister of the Department of Militia and Defence, as being an area within which the making of such representations is prohibited.
- (b) any naval or military work, or any dock or harbour work, wherever situate;
- (c) any other place or thing of such a nature that such representations thereof are calculated to be, or might be directly or indirectly, useful to the enemy;

and no person in any such area or in the vicinity of any such work shall without lawful authority or excuse have in his possession any photographic or other apparatus or other material or thing suitable for use in making any such representation.

No person shall without lawful authority or excuse have in his possession any representation of any such work, place or thing of such a nature that it is calculated to be or might be directly or indirectly useful to the enemy.

Provided that nothing in this Order shall be construed as prohibiting (where otherwise legal) the making of a photograph, sketch, plan, model, or other representation within any photographic or other studio or private dwelling-house or the garden or other premises attached thereto of any person or things therein, or as prohibiting (where otherwise legal) the possession of photographic or other apparatus, materials or things intended solely for use within such studio, dwelling-house, or other premises.

For the purposes of this Order -

The expression "naval or military work" includes any work of defence, dockyard, arsenal, camp, depot or building used for the accommodation of any of His Majesty's forces, ship, aircraft, telegraph or signal station, searchlight, war material, or any place where war material is or is intended to be manufactured, repaired or stored, or plant therein;

The expression "dock or harbour work" includes shipyard landing stage and pier, and any light buoy, beacon, mark, or other object or thing designed or used for the purpose of facilitating navigation in or into a harbour.

8. If any person having in his possession or under his control any document, note, photograph, sketch, plan, design, model, pattern, specimen, or article (including any key or other instrument affording means of access

to information) of such a nature as is calculated to be or might be, directly or indirectly useful to the enemy:-

- (a) without lawful authority destroys, makes away with or allows any person to inspect or to be in possession of such document, note, photograph, sketch, plan, design, model, pattern, specimen, or article as aforesaid; or
- (b) loses, fails to take reasonable care of or so conducts himself as to endanger the safe custody of, such document, note, photograph, sketch, plan, design, model, pattern, specimen, or article as aforesaid; or
- (c) retains such document, note, photograph, sketch, plan, design, model, pattern, specimen, or article as aforesaid in his possession or control when he has no right to retain it, or when it is contrary to his duty to retain it; or
- (d) fails to comply with any directions issued by lawful authority with regard to the custody, production, or the return of such document, note, photograph, sketch, plan, design, model, pattern, specimen, or article as aforesaid;

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continued.

he shall be guilty of an offence under this order, and no person shall without lawful authority or excuse have in his possession or under his control any document, note, photograph, sketch, plan, design, model, pattern, specimen, or article as aforesaid.

Prohibition  
against tampering  
with telegraphic  
apparatus, &c.

9. No person without lawful authority shall injure or tamper, or interfere with, any wire or other apparatus for transmitting telegraphic, or telephonic messages, or any apparatus or contrivance intended for or capable of being used for a signalling apparatus, either visual or otherwise, or prevent or obstruct or in any manner whatsoever interfere with the sending, conveyance or delivery of any communication by means of telegraph, telephone, or otherwise, or be in possession of any apparatus intended for or capable of being used for tapping messages sent by wireless telegraphy or otherwise.

Prohibition  
against possession  
of wireless telegraphic  
apparatus &c.

10. If the competent naval or military authority has reason to suspect that any person having in his possession any apparatus for sending or receiving messages by telegraphy, wireless telegraphy, telephony, or other electrical or mechanical means, is using or about to use the same for any purpose prejudicial to the public safety or the Defence of the Empire, he may, by order, prohibit that person from having any such apparatus in his possession, and may take such steps as are necessary for enforcing the order.

11. No person shall without lawful authority or excuse, use or have in his possession or under his control any cypher, code, or other means adapted for

Prohibition of use, possession or non-disclosure of key to cypher or code.

secretly communicating naval or military information, unless he proves that the cypher, code, or other means of secret communication is intended and used solely for commercial or other legitimate purposes.

Any person who has in his possession or under his control any cypher, code, or other means of secret communication shall, if required by the competent naval or military authority, or any person authorised by him, or by any police constable, supply the key or other means for decyphering it.

Power to prevent embarkation or departure of persons suspected of communicating with the enemy.

12. Where the competent naval or military authority or any person duly authorised by him, or an Immigration Officer has reason to suspect that any person who is about to embark on any ship, vessel or aircraft or proceed overland is attempting to leave the Dominion of Canada for the purpose of communicating directly or indirectly with the enemy or with any subject of any Sovereign or State at war with His Majesty, he may prevent the embarkation or departure of that person.

Where the embarkation or departure of any person has been so prevented or refused the persons or person concerned shall have the right of appeal to the Minister of the Interior, and in the event of an appeal being made the officer shall forward the appeal, with his report, to the Minister. If the appeal is allowed, the appellant shall be notified forthwith, otherwise the action taken by the officer shall be held to be in force.

Prohibition against use of invisible ink or other secret means of communication.

13. No person shall send from the Dominion of Canada, whether by post or otherwise, any letter, document, or substance containing any written matter which is invisible or illegible until the medium in or upon which it is written is subjected to heat or some other treatment, or any letter, document, or substance in which any other means for secretly communicating information is used.

Prohibition against signalling.

14. No person shall without the permission of the competent naval or military authority display, erect, or use any signal, visual or otherwise, or send up any balloon or fly any kite which is of such a nature as to be capable of being used as a means of signalling, to persons or vessels at sea, and the competent naval or military authority may require any flagstaff or other erection capable of being thus used as a means of signalling to be removed, and no person shall without the permission of the Department of the Naval Service hoist on any flagstaff or otherwise conspicuously display the white ensign or the blue ensign whether with or without any distinguishing mark, or any flag so closely resembling the same as to be calculated to deceive.

Nothing in this Regulation restricts the displaying of the Canadian Ensign.

## 15. No person shall by word of mouth:-

Prohibition  
against spread-  
ing of false or  
prejudicial  
reports.

- (a) spread false reports or make false statements; or
- (b) spread reports or make statements intended or likely to cause disaffection to His Majesty or to interfere with the success of His Majesty's forces or of the forces of any of His Majesty's Allies by land or sea or to prejudice His Majesty's relations with foreign powers; or
- (c) spread reports or make statements intended or likely to prejudice the recruiting, training, discipline, or administration of any of His Majesty's forces.

Prohibition  
against un-  
authorised use  
of authorised  
signals.

16. No person shall without the permission of the competent naval or military authority display or make any signal, visual or otherwise, of any nature liable to be mistaken for any signal authorised to be used in the case of an attack by the enemy from the sea, or communicate any information likely to cause any such authorised signal to be displayed or made.

Prohibition  
against the  
use of fire  
works, &c.

17. No person shall without the permission of the competent naval or military authority, or some person authorised by him, display any light or ignite or otherwise make use of any fireworks or other similar device or any fire in such a manner as could serve as a signal, guide, or landmark, to persons or vessels at sea.

18. No person shall trespass on any railway, or loiter on, under, or near any tunnel, bridge, viaduct, or culvert, and

Prohibition  
against tres-  
pass on Rail-  
ways, Gov't  
premises, docks  
&c.

(2) The competent naval or military authority may by order prohibit all or any persons of any class or description, unless they have obtained his permission or the permission of a person duly authorised by him, from entering, or from being in or on:

- (a) any land or premises specified in the order belonging to or occupied by His Majesty or any Government Department;
- (b) any foreshore, land between tide-marks, quay, wharf, dock, or dock premises specified in the order, or any ship or vessel lying in, on, or alongside any such foreshore, land, quay, wharf, dock, or dock premises;
- (c) any road or waste or unenclosed land adjacent to any such land or premises as aforesaid.

Prohibition  
against approach-  
ing defence  
works, &c.

19. The competent naval or military authority may by order prohibit any person or persons from approaching within such distance as may be specified in the order of any camp, work of defence, or other defended military work, or any work to which it is deemed necessary in the interest of the public safety or the defence of the Empire, to afford military protection, and no person shall trespass on any work of defence, arsenal, factory, dockyard, ship, telegraph, or signalling station, or office, belonging to, or used for the service of His Majesty.

Prohibition  
against the  
possession of  
firearms, &c.

20. No person, without the written permission of the competent naval or military authority, shall, on or in the vicinity of any railway, or in the vicinity of any dock or harbour or in the vicinity of any area which may be specified in an order made by the competent naval or military authority, be in possession of any explosive substance or any highly inflammable liquid, in quantities exceeding the immediate requirements of his business or occupation, or of any firearms or ammunition (except such shotguns and ammunition therefor, as are ordinarily used for sporting purposes in the Dominion of Canada.)

Power to make  
rules for explo-  
sives, factories  
and stores.

21. The Minister of the Naval Service or the Minister of Militia and Defence may make rules for the purpose of securing the safety:-

- (a) of any factory, store, magazine, wharf, or other premises, or any vessel, vehicle, receptacle or place, in or upon which any ammunition or explosive substance or any highly inflammable substance required for the production thereof is or at any time may be manufactured, treated, produced, handled, carried, stored, or deposited: and
- (b) of any person in or in the vicinity of any such premises, vessel, vehicle, receptacle or place;

and in particular rules prohibiting, except as may be otherwise provided under or in pursuance of the rules, any person whilst in or in the vicinity of such premises, vessel, vehicle, receptacle or place from smoking, or having in his possession any match or apparatus of any kind for producing a light, or any tobacco, cigar, cigarette, pipe, or contrivance for smoking.

Duty of com-  
plying with  
navigation  
orders in  
harbours.

22. The Master of a ship, or any other person shall obey and observe all orders relating to the navigation or mooring of ships in a harbour or the approaches thereto, or any signals from, or any orders, whether verbal or written, of the competent naval or military authority of the harbour, or any examining officer, or other officer acting under his authority, relating to such navigation or mooring.

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Duty of complying with orders respecting wireless installation in ships.

23. The Master of a ship, her wireless operator, or any other person must obey and observe all orders and regulations, whether written or verbal, of the competent naval or military authority of the harbour, or any examining officer, or other officer acting under his authority, relating to the working, or the fittings of the whole or any part of the wireless installation in such ship.

The competent naval or military authority of the harbour, or any examining officer, or the officer acting under his authority, may require the officer or person in charge of the wireless installation of a ship to remain on board the ship on her arrival in harbour until the officer appointed to inspect wireless telegraph installations is satisfied that orders or regulations concerning wireless telegraph installations have been complied with.

24. The competent naval or military authority may make orders for restricting or controlling the use of boats in any harbour or the approaches thereto.

Duty of vessels to comply with navigation orders.

25. Every vessel, being a vessel registered in Canada, and every vessel within the territorial waters of the Dominion of Canada, shall comply with such orders as to the navigation of vessels as may be issued by the Department of the Naval Service, and shall obey any orders given, whether by way of signal or otherwise, by any officer in command of any of His Majesty's or His Majesty's Canadian ships, or by any naval or military officer engaged in the defence of the coast.

If any vessel fails to comply with any such order or to obey any such orders, the Master or other person in command or charge of the vessel shall be guilty of an offence under this order, and if the vessel is at any time subsequently found at a port of, or within the territorial waters adjacent to, the Dominion of Canada, the competent naval or military authority may cause the vessel to be seized and detained until it has been established to the satisfaction of such authority that the vessel has a right to proceed.

This order shall not apply to a vessel not being a vessel registered in Canada, where the non-compliance with the orders or disobedience to the orders takes place on the high seas outside the territorial waters adjacent to the Dominion of Canada.

Power to prohibit vessels entering dangerous areas.

26. The Minister of the Naval Service may by order prohibit any vessel, or any vessel of any class or description specified in the order, from entering any area which he may consider it is necessary to keep clear of vessels, or vessels of that class or description, in the interests of the public safety or the defence of the Empire, and if any vessel, or any vessel of that specified class or description enters any such area, the Master or other person in command or charge of the vessel



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shall be guilty of an offence against this order, and if the vessel is at any time subsequently found at a port in or within the territorial waters adjacent to the Dominion of Canada, the competent naval or military authority may cause the vessel to be seized and detained until it has been established to the satisfaction of such authority that the vessel has a right to proceed.

This order shall not apply to a vessel not being a British vessel so far as the area specified in the order extends beyond the territorial waters adjacent to the Dominion of Canada.

Injury by  
collisions or  
otherwise to  
ships in H.M.'s  
service.

27. If any vessel causes any injury by collision or otherwise to any ship belonging to or engaged in the service of His Majesty or to any person on board such ship, or is so navigated or managed as to cause danger of collision with any ship belonging to or engaged in the service of His Majesty, the Master or other person in charge of the vessel shall be guilty of an offence under this order, unless it is shown that such injury or danger of collision was not caused or contributed to by any failure on his part to keep or cause to be kept a proper lookout, or to observe or cause to be observed any of the orders for preventing collisions at sea or any orders relating to the navigation or mooring of ships in a harbour or the approaches thereto, or any of these orders or to take or cause to be taken any precaution required by the ordinary practice of seamen or by the special circumstances of the case.

Seamen expecting  
to join ship, de-  
serting or joining  
in state of drunken-  
ness.

28. If a seaman lawfully engaged to serve on board any ship or vessel belonging to or chartered, hired, or requisitioned by the Admiralty,

- (a) neglects or refuses without reasonable cause to join his ship, or to proceed to sea in his ship, or deserts or is absent without leave from his ship or from his duty at any time; or
  - (b) joins his ship in a state of drunkenness so that the performance of his duties or the navigation of his ship is thereby impeded,
- he shall be guilty of a breach of this Order.

The master, mate, or owner of the ship or his agent, or any naval or militia officer, or any superintendent as defined by the Merchant Shipping Acts, 1894 to 1914, or the Canada Shipping Act, may with or without the assistance of any police constable or other peace officer, convey on board his ship any seaman whom he has reason to believe to be guilty of an offence under paragraph (a) of this order.

Police Constables and other peace officers shall render such assistance as may be required of them in arresting seamen and conveying them on board their ships under the provisions of this order.

The exercise of the powers conferred by this order shall not be subject to the restriction imposed by the Merchant Shipping Acts, 1894 to 1914, or the

Canada Shipping Act, on the exercise of any similar powers conferred by those Acts.

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continued.

And for the purposes of this order a copy of any entry made in an official log book in manner provided by the Merchant Shipping Act, 1894, shall if it purports to be signed and certified as a true copy or extract by the Officer in whose custody the original log book is entrusted, be admissible in evidence.

Provision  
as to the  
pilotage of  
vessels.

29. The Minister of Marine and Fisheries may make orders as to the pilotage of vessels entering, leaving or making use of any port or navigating within any part of the territorial waters adjacent to the Dominion of Canada, and any such order may provide for pilotage being compulsory for all or any class of such vessels within such limits as may be specified in the order, for enabling the competent naval or military authority to direct that in the case of any particular vessel pilotage is compulsory, for the granting of special pilotage licences and the suspension of existing pilotage licences and certificates, and for the supply, employment and payment of pilots.

Where under this regulation pilotage is compulsory in respect of any vessel it shall be obligatory for the vessel to obtain the services either of a pilot authorized for the purpose by the Minister of Marine and Fisheries, or, within the limits of any specially defined pilotage district, of a pilot licensed by the pilotage authority of the district, or, within such limits, of a pilot holding a deep sea licence or certificate.

Any enactment, order, charter, custom, by-law, regulation, or provision in force for the time being in any area to which any such order relates shall have effect subject to the provisions of the order.

Obstruction of  
officers &c.,  
in performance  
of duties.

30. No person shall obstruct, knowingly mislead, or otherwise interfere with or impede any officer or other person who is carrying out the orders of the competent naval or military authority, or who is otherwise acting in accordance with his duty under these orders, or withhold from any such officer or person any information in his possession which he may be reasonably required to furnish.

Falsification  
of reports,  
&c.

31. No person shall, either verbally or in writing, in any report, return, declaration, or application, or in any document signed by him or on his behalf of which it is his duty to ascertain the accuracy, knowingly make or connive at the making of any false statement or any omission, with intent to mislead the competent naval or military authority, or any other person acting under such authority in the execution of his duties.

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32. (a) No person shall forge, alter, or tamper with any Naval or Military, or official pass, permit, or certificate, licence, or other document, or any passport, issued by a Naval, Military or other officer, or without lawful authority use or have in his possession any such forged, altered, or irregular pass, permit, certificate, licence, or other document or passport.

Forgery and personation, misleading statements and applications of marks to premises, war material, paper &c.

(b) No person shall personate, or falsely represent himself to be or not to be, a person to whom such a pass, permit, certificate, licence or other document, or passport has been duly issued, or with intent to obtain any such pass, permit, certificate, licence, or other document or passport, whether for himself or for any other person, knowingly make any false statement,

(c) No person shall destroy, make away with, or by wilful neglect lose any such pass, permit, certificate, licence or other document, or passport, or retain it when he has no right to retain it or when it is contrary to his duty to retain it, or fail to comply with any directions issued by lawful authority with regard to the return thereof.

(d) No person shall allow any other person to have possession of any such pass, permit, certificate, licence or passport, issued for his use alone, or without lawful authority have in his possession any such pass, permit, certificate, licence, or passport issued for the use of some person other than himself, or on obtaining possession of any such pass, permit, certificate, licence, or passport, by finding or otherwise, neglect or fail to restore it to the person or authority by whom or for whose use it was issued or to a police constable.

False passports, &c.

33. No person shall be in possession of a false passport, or being a subject of a Sovereign or State at war with His Majesty, shall pass under an assumed name.

Assisting prisoners of war or interned persons to escape prohibited.

34. No person shall assist any prisoner of war or interned person to escape, or knowingly harbour, or assist any such person who has escaped, or without lawful authority transmit, either by post or otherwise, or convey to any prisoner of war or interned person any money or valuable security or any article likely to facilitate the escape of any prisoner of war or interned person, or in any way interfere with the discipline or administration of any place of detention for prisoners of war or interned persons.

Duty of compliance with orders.

35. It shall be the duty of every person affected by any order issued by the competent naval or military authority or any other person in pursuance of this order to comply (with that order) and failure to comply shall be treated as a breach of this order.

## Aiding and abetting.

36. No person shall attempt to commit, or procure, aid or abet, or do any act preparatory to, the commission of, any act prohibited by these orders, or harbour any person whom he knows, or has reasonable grounds for supposing, to have acted in contravention of this order,

## Duty of disclosing contravention of orders.

37. It shall be the duty of any person who knows or has good reason for believing that some other person is acting in contravention of any provisions of this order to inform the competent naval or military authority of the fact.

## General prohibition against assisting the enemy.

38. If any person does any act of such nature as to be calculated to be prejudicial to the public safety or the defence of the Empire and not specifically provided for in this order, with the intention or for the purpose of assisting the enemy, he shall be deemed to be guilty of an offence against this order.

## Power to search premises, &amp;c.

39. The competent naval or military authority, or any person duly authorized by him may, if he has reason to suspect that any house, building, land or other premises, or vessel, vehicle, aircraft or other conveyance or any things therein are being or have been constructed, used or kept for any purpose or in any way prejudicial to the public safety or the defence of the Empire, or that an offence against this order is being or has been committed thereon or therein, enter, if need be by force, the house, building, land, or other premises or vessel, vehicle, aircraft or other conveyance at any time of the day or night, and examine, search, and inspect the same or any part thereof, and may seize anything found therein which he has reason to suspect is being used or intended to be used for any such purpose as aforesaid, or is being kept or used in contravention of this order.

## Powers of questioning.

40. It shall be the duty of any person, if so required by an officer of His Majesty's Naval or Military forces, or by a soldier or sailor engaged on sentry patrol or other similar duty, to stop and answer to the best of his ability and knowledge any questions which may be reasonably addressed to him.

Nothing in this order is to be construed as giving any officer any power to stop or question any person, not being under the Naval Discipline Act or military law, unless such officer is acting in the performance of his duties.

41. Any person landing at, arriving at, embarking at or leaving any place in the Dominion of Canada, or being in a harbour of or within the territorial waters of the Dominion of Canada, shall on being required to do

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Prevention of conveyance of letters, &c., out of or into the Dominion of Canada.

so by the competent naval or military authority or any person authorised by him or by an Immigration Officer, Customs Officer, or Officer of Police, make a declaration as to whether or not he is carrying or conveying any letters or other written messages intended to be transmitted by post or otherwise delivered, and, if so required, shall produce to the person making the requisition any such letters, or messages; and the competent naval or military authority or person authorised by him or Immigration Officer, Customs Officer, or Police Officer, may search any such person and any baggage with a view to ascertaining whether such person or the person to whom the baggage belongs is carrying or conveying any such letters or messages. The competent naval or military authority or persons authorised by him or Immigration Officer, Customs Officer, or Police Officer may examine any letters or other messages so produced by him or found on such search and may transmit them to an officer appointed to censor postal correspondence.

Notices.

42. The competent naval or military authority or any other person by whom an order is made in pursuance of this order, shall publish notice of the order in such manner as he may consider best adapted for informing persons affected by the order, and no person shall without lawful authority deface or otherwise tamper with any notice posted up in pursuance of this order, or any other notice, advertisement, or placard relating to any of His Majesty's forces, or any naval or military matters exhibited or posted under lawful authority.

Provisions as to permits.

43. Any person claiming to act under any permit or permission granted under or for the purposes of this order shall, if at any time he is required to do so by the competent naval or military authority, or any person authorised by him, or by any naval or military officer, or by any sailor or soldier engaged on sentry patrol or other similar duty, or by any Officer of Customs and Excise, Officer of Police or Immigration Officer, produce the permit or permission for inspection,

Any permit or permission granted under or for the purpose of any provision of this order may at any time be revoked.

Prohibition against supplying intoxicants to members of His Majesty's Forces.

44. No person shall, with the intent of eliciting information for the purpose of communicating it to the enemy, or for any purpose calculated to assist the enemy, give or sell any intoxicating liquor to a member of any of His Majesty's forces, or to a member of the Militia of Canada; and when any of His Majesty's forces or of the Militia of Canada, are employed in guarding or defending any railway, dock, harbour, canal, wireless or cable station, or any fort, armoury, building, structure, plant, or work, or any stores, armament, munitions or goods, on or in connection with which a guard or sentry is placed, no person shall at any time give or sell any intoxicating liquor to a member of such forces, or

of the Militia, with intent to make him drunk; nor shall any person, either with or without such last mentioned intent, give or sell intoxicating liquor to any such member when he is on guard, sentry, or other military duty.

Prohibition against endangering safety of members of His Majesty's Forces.

45. No person shall by the discharge of fire arms or otherwise endanger the safety of any member of any of His Majesty's Forces travelling on or guarding any railway or of any authorised person guarding any railway.

Power to prevent landing of an alien, being the Master or member of the crew of a vessel.

46. An alien, being the master or a member of the crew of a vessel arriving at any of the ports named in Schedule No. 1 shall not, except as hereinafter provided, be permitted to land at that port unless he satisfactorily establishes that he is not of enemy nationality by the production for inspection of the proper officer when required of a passport issued to him not more than two years previously by or on behalf of the Government of the country of which he is a subject or a citizen, or some other document satisfactorily establishing his nationality or identity, to which passport or document must be attached a photograph of the alien to whom it relates provided that the Collector of Customs or an Immigration Officer of the port at which the alien desires to land may, nevertheless, if satisfied that such landing is for a mere temporary purpose, and may be permitted without prejudice to the interests of the state, grant a permission to land for such temporary purpose, and to remain ashore for a limited time, subject to such restrictions or conditions as the Officer may think necessary or reasonable to impose, having regard to the public interest and the several circumstances of the case, and provided more-over that nothing herein contained shall prevent the landing of any citizen of the United States engaged as an Officer or member of a crew of a United States fishing vessel at any of the said ports for any purpose for which he is by treaty, fishery laws and regulations entitled to land.

Burden of proof of lawful authority or excuse on accused.

47. Where under this order any act is done without lawful authority or without lawful authority or excuse is an offence against this order, the burden of proving that the act was done with lawful authority or with lawful authority or excuse shall rest on the person accused.

Evidences of orders of competent naval or military authority.

48. Every document purporting to be an order or other instrument issued by a competent Naval or Military Authority and to be signed by such an authority shall be received in evidence in any proceeding instituted under the authority of this Order and be deemed to be such an order or instrument without further proof unless the contrary is shown.

Having of  
other  
powers.

49. The powers conferred by this order are in addition to and not in derogation of any powers exercisable by members of His Majesty's Naval and Military Forces and other persons to take such steps as may be necessary for securing the public safety and the defence of the Empire, and nothing in this order shall affect the liability of any person to trial and punishment for any offence or war crime otherwise than in accordance with this order.

Trial of  
offences.

50. Where a person is alleged to be guilty of an offence against this order, he may if not subject to the Naval Discipline Act or to Military law, be tried by a court of summary jurisdiction and not otherwise, and if he is so subject he may be so tried or may be dealt with as for an offence against the Naval Discipline Act or military law as the competent naval or military authority shall decide.

Where a person is alleged to be guilty of an offence against this order the case shall be referred to the competent naval or military authority who shall forthwith investigate the case and determine whether or not the case is to be proceeded with.

If it is determined that the case is not to be proceeded with, the alleged offender, if in custody, shall (unless he is detained on some other charge) forthwith be released.

51. Any person contravening any of the provisions of this Order shall be liable to a penalty not exceeding Five Thousand Dollars or imprisonment for any term not exceeding five years or to both fine and imprisonment; any such penalty may be recovered or enforced by summary proceedings and conviction under the provisions of Part 15 of the Criminal Code.

52. Where by this or any other Order in Council for the time being in force, whether made before or after the making of this order, any regulations or words are directed to be added to or omitted from the Defence of Canada Order in Council or to be substituted for any other Orders or words in that Order, then copies of the Defence of Canada Order in Council printed under the authority of the King's Printer after such direction takes effect may be printed with the regulations or words added or omitted or substituted for other regulations or words as such direction requires, and with the regulations and paragraphs thereof numbered in accordance with such direction; and the said defence of Canada Order in Council shall be construed as if it had, at the time at which such direction takes effect, been made with such addition, omission or substitution.

A reference in any Order in Council or any of them shall, unless the context otherwise requires, be construed to refer to that Order as amended by any Order in Council for the time being in force.

26987

53. The Officers named in schedule No.2 shall be competent Naval or Military Authorities for the purpose of carrying out the provision of this Order.

Definition of competent naval or military authorities

Where the holder of a designated office has been appointed to be a competent naval or military authority, or any powers of the competent naval or military authority have been delegated to the holder of a designated office then, unless express provision is made to the contrary, the appointment or delegation shall be deemed always to have extended to the person for the time being performing the duties of the office designated if he is so qualified as aforesaid.

54. The fact that any regulation or provision of a regulation is, or has been, revoked or superseded by any subsequent regulation shall not affect, and shall be deemed not to have affected, the previous operation of any regulation or provision so revoked or superseded, or the validity of any action taken under any such regulation or provision, or any penalty or punishment incurred in respect of any contravention or failure to comply with any such regulation or provision, or any proceeding or remedy in respect of any such penalty or punishment.

TITLE THIS ORDER may be cited as the DEFENCE OF CANADA ORDER, 1917

ORDERS IN COUNCILS,-

- P.C. 2358 September 12, 1914.
- P.C. 550 March 15, 1915.
- P.C. 625 March 25, 1915.
- P.C. 1939 August 18, 1916.
- P.C. 2221 September 20, 1916.
- P.C. 2362 October 7, 1916.
- P.C. 408 February 13, 1917.

passed under the WAR MEASURES ACT 1914, are hereby revoked.

*Handwritten signature*

*Approved.*

*Devonshire*

*10 April 1917*



06987 (a)

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17.

SCHEDULE NO. 1.

Esquimalt	Quebec
Halifax	St. John
Louisburg	Sydney
Montreal	Vancouver
North Sydney	Victoria.

SCHEDULE NO. 2.

Director of the Naval Service.  
 Commander in Chief, North America & West Indies Station.  
 Commanding Officers H.M. and H.M.C. Ships and establishments, not below the rank of Lieutenant Commander.

Such officers not below the rank of Lieutenant Commander as any of the foregoing officers may appoint.

The Chief of the General Staff.  
 Officers Commanding Military Districts, each within the limits of his own command.  
 Any officer (not below field rank) deputed by the Chief of the General Staff or by an Officer commanding a Military District.

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DEPARTMENT OF THE NAVAL SERVICE

*Ottawa*, 2nd April, 1917.

TO HIS EXCELLENCY  
THE GOVERNOR GENERAL.

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The Undersigned has the honour to submit the following regulations for the proposed Defence of Canada Order 1917, being a consolidation of and additions to various Orders in Council passed and made in consequence of the war:-

1. The ordinary avocations of life and the enjoyment of property will be interfered with as little as may be permitted by the exigencies of the measures which may be required to be taken for securing the public safety and the defence of the Empire.

Directions as to non-interference with persons and property.

The Department of Naval Service and the Department of Militia and Defence and members of the Naval and Military forces, and other persons executing the following regulations shall, in carrying those regulations into effect, observe these general principles.

2. The competent naval or military authority may by order direct that all lights or lights of any specified class or description shall be extinguished or obscured in such manner, between such hours, within such area, and during such period, as may be specified in the order, and any person authorized by the competent naval or military authority in that behalf, or any police constable, or any soldier or sailor on sentry, patrol or other similar duty, may extinguish or obscure any light which is not extinguished or obscured in accordance with the order, and for that purpose may enter any premises, or stop and seize any vehicle, or do any other act that may be necessary.

Power of naval or military authority to require extinguishment of lights.

3. The competent naval or military authority may by order prohibit the use of sound signals of such class or description, between such hours, within such area, and during such period, as may be specified in the order.

Power to prohibit use of sound signals.

53. The Officers named in Schedule No.2 shall be competent Naval or Military Authorities for the purpose of carrying out the provision of this Order.

Definition of competent naval or military authorities.

Where the holder of a designated office has been appointed to be a competent naval or military authority, or any powers of the competent naval or military authority have been delegated to the holder of a designated office then, unless express provision is made to the contrary, the appointment or delegation shall be deemed always to have extended, to the person for the time being performing the duties of the office designated if he is so qualified as aforesaid.

54. The fact that any regulation or provision of a regulation is, or has been, revoked or superseded by any subsequent regulation shall not affect, and shall be deemed not to have affected, the previous operation of any regulation or provision so revoked or superseded, or the validity of any action taken under any such regulation or provision, or any penalty or punishment incurred in respect of any contravention or failure to comply with any such regulation or provision, or any proceeding or remedy in respect of any such penalty or punishment.

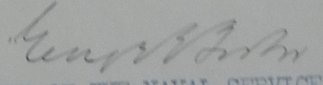
TITLE

THIS ORDER may be cited as the DEFENCE OF CANADA ORDER, 1917.

ORDERS IN COUNCIL passed under the WAR MEASURES ACT 1914 revoked by DEFENCE OF CANADA ORDER:-

P.C. 2358 September 12, 1914.  
P.C. 550 March 15, 1915.  
P.C. 625 March 25, 1915.  
P.C. 1939 August 18, 1916.  
P.C. 2221 September 20, 1916.  
P.C. 2362 October 7, 1916.  
P.C. 408 February 13, 1917.

RESPECTFULLY SUBMITTED

  
ACTING MINISTER OF THE NAVAL SERVICE.