



At the Government House at Ottawa,

Present:-

His Excellency
the Governor General
in Council:

PAGE

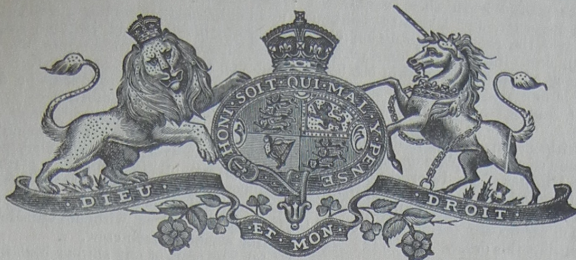
His Excellency the Governor General in Council is pleased to order that clause (b) of subsection (1) of Section 1 of the regulations concerning the departure out of Canada of male persons who are liable to or capable of national service of a military or other character, established by Order in Council of 24th May, 1917, (P.C.1433) shall be and the same is hereby amended to read to as follows:-

(b) by stealth or otherwise and with whatever object, intent or purpose leaves or attempts to leave Canada without the written permission of a Canadian Immigration Inspector, or of some other person duly appointed by the Minister of the Interior for the purpose of giving such permission, shall be guilty of an offence against this order and liable upon indictment or summary conviction to a fine not exceeding two thousand five hundred dollars or imprisonment for a period not exceeding five years, or to both such fine and such imprisonment.

A. B. Baden

1917
Order: 1798-1802
Report - 30 June

EXTRA.



The Canada Gazette

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OTTAWA, FRIDAY, MAY 25, 1917.

ORDER IN COUNCIL.

[1433]

AT THE GOVERNMENT HOUSE AT OTTAWA.

Thursday, the 24th day of May, 1917.

PRESENT :

HIS EXCELLENCY THE GOVERNOR GENERAL
IN COUNCIL

HIS Excellency the Governor General in Council, under and by virtue of the provisions of section 6 of The War Measures Act, and of any other power in him residing is pleased to make and doth hereby make the following regulations concerning the departure out of Canada of male persons who are liable to or capable of national service of a military or other character :—

1. (1) Any male person ordinarily resident within Canada, who

(a) is 18 years of age or upwards but not over 45 years of age, and who

(b) by stealth or otherwise and with whatever object, intent or purpose leaves or attempts to leave Canada, without the written permission of a Canadian Immigration Inspector, or of some other person duly appointed by the Minister of the Interior for the purpose of giving such permission, shall be guilty of an offence against this order and liable to a fine not exceeding two thousand five hundred dollars or imprisonment for a period not exceeding five years, or to both such fine and such imprisonment.

(2) When satisfied that the intended departure from Canada of any male person between the ages of 18 and 45 years, inclusive, is not with the object, intent or purpose of avoiding any liability to render, or of being called upon to render, within Canada or overseas any service, whether of a military character or otherwise, which might conduce towards the success of His Majesty and his allies in the presently prevailing war, a Canadian Immigration Inspector or any person duly appointed by the Minister of the Interior for the purpose of giving such permission, may grant unto such person written permission to leave, which written permission shall be substantially in the form of Schedule 21285

“A” or Schedule “B” to this Order, and in the event of a Canadian Immigration Inspector or other person duly appointed by the Minister of the Interior refusing to grant permission to leave Canada, the person so refused has the right of appeal to the Minister of the Interior.

(3) Any person to whom any such written permission to leave Canada has been granted shall carefully preserve the same and keep it always about his person, and in case of its non production upon demand made by any Immigration Inspector, or in any proceedings in any Court of Law in which the matter of the grant thereof shall be in issue, it shall be deemed prima facie for all purposes from the fact of such non-production, that no such written permission has been granted.

2. Any person who shall aid, abet or advise the commission of any offence against Regulation No. 1 of this order, shall be guilty of an offence against this order, punishable in like manner and to the same extent as is in and by regulation No. 1 of this order provided.

3. The general operation of these regulations and the enforcement thereof are committed to the Minister of the Interior, and subject to his directions, for the purpose of such enforcement all Canadian Immigration Inspectors shall have and may exercise within Canada, without liability to any civil or criminal responsibility by reason of anything done in good faith while purporting to act under these regulations, the following rights and powers :—

(a) To enter and search any ship, boat, train, car, vehicle or other means of conveyance of passengers within but bound out of Canada, and to orally examine any passenger thereon.

(b) To hold and detain any ship, boat, train, car, vehicle or other means of conveyance of passengers within, but bound out of Canada, until completion of any necessary examination by such inspector of the passengers thereon.

(c) To cause, direct or authorize the removal of any passenger or foot passenger from any ship, boat, train, car, vehicle or other means of conveyance of passengers within but bound out of Canada, or from any bridge, wharf, road, or other avenue of departure from Canada.

(upon indictment or summary conviction)

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1799
 Department of the Interior



Canada.

Ottawa,

28th June, 1917.

TO HIS EXCELLENCY

THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS His Excellency, the Governor-General in Council, under and by virtue of Section 6 of the War Measures Act and of any other power in him residing, was pleased to make certain regulations concerning the departure out Canada of male persons who are liable to or capable of national service of a military or other character, by an Order-in-Council dated 24th May, 1917 (P.C.1433);

AND WHEREAS in the carrying out of the regulations above referred to it has appeared in practice that certain parts of the said regulations have not clearly expressed the intention of His Excellency, the Governor-General in Council;

The undersigned has, therefore, the honour to recommend that sub-section (b) of the first paragraph of Section 1 be rescinded and the following sub-section (b) substituted therefor:

(b) by stealth or otherwise and with whatever object, intent or purpose leaves or attempts to leave Canada, without the written permission of a Canadian Immigration Inspector, or of some other person duly appointed by the Minister of the Interior for the purpose of giving such permission, shall be guilty of an offence against this order and liable, upon indictment or summary conviction, to a fine not exceeding two thousand five hundred dollars or imprisonment for a period not exceeding five years, or to both such fine and such imprisonment.

That

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Requ ^P That paragraph 2 of Section 1 of the said Order-in-Council be rescinded and the following paragraph 2ⁿ substituted therefor:

(2) When satisfied that the intended departure from Canada of any male person between the ages of 18 and 45 years, inclusive, is not with the object, intent or purpose of avoiding, nor likely to result in avoiding, any liability to render, or of being called upon to render, within Canada or overseas any service, whether of a military character or otherwise, which might conduce towards the success of His Majesty and his allies in the presently prevailing war, a Canadian Immigration Inspector or any person duly appointed by the Minister of the Interior for the purpose of giving such permission, may grant unto such person written permission to leave, which written permission shall be substantially in the form of Schedule "A" or Schedule "B" to this Order, and in the even of a Canadian Immigration Inspector or other person duly appointed by the Minister of the Interior refusing to grant permission to leave Canada, the person so refused has the right of appeal to the Minister of the Interior.

^S That sub-section (f) of Section 3 of the said regulations be rescinded and the following sub-section (f) be substituted therefor:

(f) To arrest without warrant and to detain in any custody, and at any convenient place or places within Canada, until the Minister of the Interior (to whom a report of every arrest and detention shall be forthwith after such arrest or detention made) shall direct the disposition of such person, any person found committing, attempting to commit or having committed any offence against this order.

Respectfully submitted,