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empowered, with respect to any District Court-Martial held for the trial of a soldier under his command, to confirm the Finding of any such Court-Martial and to approve, confirm and cause to be put into execution, mitigate, commute or remit any Sentence of any such Court-Martial.

(c) The Proceedings of every General Court-Martial convened by any such officer as aforesaid, by which any officer or soldier has been convicted, shall be transmitted forthwith to the Judge Advocate-General, Department of National Defence, in order that he may forward the same to the Minister of National Defence who will lay the same before the Governor in Council for approval or otherwise of the Sentence thereof, and no such Sentence, until and except to the extent it has been approved by the Governor in Council, shall be put into execution.

2. The Officer Commanding an Active Division of The Canadian Army, serving in Canada or Newfoundland, not below the rank of Brigadier, is, in respect of troops under his command, hereby vested with, and shall exercise and perform all the powers, duties and functions, to the extent that they are applicable, which by The King's Regulations and Orders for the Canadian Militia are vested in or to be exercised or performed by a District Officer Commanding.
3. The provisions of Paragraphs 327 to 330, both inclusive, of The King's Regulations and Orders for the Canadian Militia 1939 which, pursuant to Order in Council dated 13th September, 1939 (P.C.4122) were, subject to the modifications therein set out, made applicable to such parts of the Active Militia as have been placed on active service, will in their application to each "Active" Division of The Canadian Army, serving in Canada or Newfoundland, be subject to the following modifications -
  - (a) The powers exercisable by the Adjutant-General under Paragraph 328 (a) and by a District Officer Commanding under Paragraph 328 (c) may, in respect of personnel of any such Division, be exercised by any General Officer or Brigadier whom the Minister of National Defence appoints for that purpose.
  - (b) With respect to personnel of any such Division, application for authority to reduce, referred to in Paragraph 329 (a), will be made to National Defence Headquarters.
4. The provisions of this Order shall be deemed to have come into force and effect as of and from the 1st day of December, 1940.

Sgd. A.D.P.Heeney

Clerk of the Privy Council.