FIELD GENERAL COURT-MARTIAL

CFA95 (In lieu of AFA3)
40/P&N/1007 (2003)

(Whether the accused to be tried is under his comd or not, a FGCM may on application to him be convened by any offr of Cdn Army Overseas, or of any other force if authorized in law, in immediate comd of troops on active service, subject to RP 105(C) and restrictions imposed by appropriate authy. AA 49, 50, RP 104-107, 114. As to the duties and privileges of the Convening Offr in dealing with the application see MML Chap V paras 20 and 23, RP 87(B).

There should be a separate Convening Order for each person to be tried separately by the same Court. RP 71(C), 109. As to separate charge sheets see RP 62, and as to separate trial on charges in the same charge sheet see RP 108. As to two or more accused charged jointly see RP 16, 109.

As to reasons for showing (a) permanent or confirmed rank, and (b) appmt, A/rank or A/appmt, if any, see AA 182, 183, fns, KR Can 308, 328, 330.)

ACCUSED.

Number.	(a) Prmnt R.	(b) Appmt, A/R or A/Appmt.	Full Christian Names.	Surname.	Unit.
B-73846	Pte		Malcolm Nicholas	Lee	1st Cdn Para Bn, CA

CONVENING ORDER.

1. Whereas complaint has been made to me, the undersigned, that the person(~~s~~) named above as the accused, being subject to military law, has ~~they~~ committed the offence(s) set forth in the Charge Sheet(~~s~~) attached and on (~~July~~ this date ..... endorsed by me, (~~subject to the approval of my superior authority~~)" To be tried by Field General Court-Martial".

2. And whereas I am of opinion that it is not practicable that such offence(s) should be tried by an ordinary General Court-Martial; ~~and that it is not practicable to delay the trial for obtaining the approval of my superior authority~~

(Delete part in brackets when not required for compliance with RP 105(C).)

3. I hereby convene a Field General Court-Martial to try the said person(~~s~~), and to consist of the Offrs appointed or detailed hereunder.

~~I do hereby appoint (a) three Offrs for the duty of President for the second time, namely~~

(AA 49, RP 106(B), 107(A). Delete the whole or part, if not applicable.)

~~I do hereby appoint a Judge Advocate the person of whom is named hereunder~~

(RP 106(E). Delete, if none appointed.)

PRESIDENT.

(Rank.)	(Must be named. RP 106.)	(Unit.)
Lt-col	P.D. Tweedie	Carleton & York Regt HQ CRU

MEMBERS.

(Rank.)	(Named or detailed. RP 106.)	(Unit.)
Lieut	M. Cote	1 Cdn Para Bn
Lieut	R.J. Mitchell	1 Cdn Para Bn

WAITING MEMBER.

(Rank.)	(Named or detailed, if any. RP 106.)	(Unit.)
Lieut	G.H. McDonald	1 Cdn Para Bn

~~JUDGE ADVOCATE~~

~~XXXX~~ ~~XXXXXXXXXXXXXXXX~~ ~~XXXX~~

On Active Service in the Fd

in England (Country.)

Date 3 Nov. 43

(Signed personally. RP 105 fn 2.) P J Montague (Rank.)

(P.J. Montague) Major-General
Senior Offrcer
Canadian Military Headquarters
Convening Officer

(Approving Authority)

Approved
Major-General
Senior Officer
Military Headquarters
3 NOV 1943

CONVENING OFFR WILL INITIAL ALL DELETIONS AND ALTERATIONS

(See overleaf for oaths and notes for use on trial.)

Appeal
NO

J. D. J.
15 Nov 43