

C242135 N305-1
1940

P. C. 7276

AT THE GOVERNMENT HOUSE AT OTTAWA
WEDNESDAY, the 11th day of DECEMBER, 1940.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

WHEREAS by Orders in Council, Officers Commanding Canadian Divisions, C.A.S.F., serving in the United Kingdom, have been vested with certain powers respecting the convening of Courts-Martial, the confirmation of the Findings and Sentences of such Courts-Martial, and the carrying into effect of the Sentences thereof, and with the powers of a District Officer Commanding a Military District;

AND WHEREAS the Associate Minister of National Defence reports that it is desirable that Officers Commanding "Active" Divisions of The Canadian Army in Canada or Newfoundland be vested with like powers, subject to certain limitations.

THEREFORE, His Excellency the Governor General in Council, on the recommendation of the Associate Minister of National Defence, pursuant to the provisions of the Militia Act, Chapter 132 of the Revised Statutes of Canada, 1927, and under and by virtue of the War Measures Act, Chapter 206 of the said Revised Statutes, is pleased to order and doth hereby order, as follows:

1. With respect to "Active" Divisions of The Canadian Army serving in Canada or Newfoundland -
 - (a) The Officer Commanding each such Division, not below the rank of Brigadier, is hereby empowered, in the case of officers and soldiers under his command, to convene General Courts-Martial for the trial of any such officer or soldier, and District Courts-Martial for the trial of any such soldier, and to delegate power to any officer duly qualified by law in that behalf to convene any such District Courts-Martial.
 - (b) The Officer Commanding each such Division, not below the rank of Brigadier, is hereby
empowered/

see also
N-305-24
1940