

# NATIONAL REGISTRATION REGULATIONS, 1940

## INTERPRETATION



1. In these Regulations and the instruments thereinto, unless the context otherwise requires:

(a) "Chief Registrar for Canada" means a person appointed by Order in Council to exercise general direction and supervision over the registration of persons resident in Canada;

(b) "Deputy Chief Registrar for Canada" means a person appointed to assist the Chief Registrar for Canada in the performance of his duties under these Regulations;

(c) "Registrar" means the person appointed under these Regulations to supervise the registration of persons in an electoral district;

(d) "Chief Assistant Registrar" means a person appointed under these Regulations to assist the Registrar in the performance of his duties;

(e) "deputy registrar" means a person appointed under these Regulations to assist the Registrar in the performance of his duties;

(f) "electoral district" means a district or division of a province or territory as defined by a declaration of the Governor in Council under the Electoral Act, 1932;

(g) "electoral division" means a division of a city or town as defined in The Dominion Electoral Act, 1932;

(h) "polling division" means a division of a city or town as defined in The Dominion Electoral Act, 1932;

(i) "polling station" means a place appointed by the Chief Registrar for Canada in which a public authority is authorized to receive and count the votes of electors in an election;

(j) "elector" means a person who is entitled to vote in an election under the Electoral Act, 1932;

(k) "registration period" means the period of time appointed by Proclamation of the Governor in Council for the registration of persons as hereinafter provided;

(l) "single man" means a person who was registered on July 15, 1940.

## REGISTRATION

2. (1) The Governor in Council may appoint a Chief Registrar for Canada who shall

Issued by the  
Chief Registrar for Canada

(a) exercise general direction and supervision over the administrative conduct of the registration of all persons of 16 years of age and over held under these Regulations;

(b) issue to Registrars and other persons employed at or with respect to registration under these Regulations such instructions as from time to time he may deem necessary;

(c) execute and perform all other powers and duties which in these Regulations are imposed upon him.

(2) The Governor in Council may also appoint a Deputy Chief Registrar who shall assist the Chief Registrar for Canada in the performance of his duties.

(3) The Governor in Council may also appoint a Registrar for each electoral district who shall assist the Chief Registrar for Canada in the performance of his duties.

(4) The Governor in Council may also appoint a Deputy Registrar for each electoral district who shall assist the Registrar in the performance of his duties.

OTTAWA

J. O. PATENAUDE, I.S.O.

PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

1940



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- (a) "Chief Registrar for Canada" means a person appointed by Order in Council to exercise general direction and supervision over the registration of persons resident in Canada;
- (b) "Deputy Chief Registrar for Canada" means a person appointed to assist the Chief Registrar for Canada in the performance of his duties under these Regulations;
- (c) "Registrar" means the person appointed under these Regulations to supervise the registration of persons in an electoral district;
- (d) "Chief Assistant" means a person appointed under these Regulations to assist the Registrar in the performance of his duties;
- (e) "deputy registrar" means the person appointed under these Regulations to conduct the registration in a given polling division;
- (f) "voluntary assistant deputy registrar" means a person appointed by a deputy registrar under these Regulations to assist in the conduct of the registration in a given polling division;
- (g) "electoral district" means an electoral district as defined in *The Dominion Elections Act, 1938*, and fixed by *The Representation Act, 1933*, and amendments thereto;
- (h) "polling division" means a polling division as established for the last Dominion general election: provided, however, that the Chief Registrar for Canada may for the convenience of the public authorize the revision of any such division;
- (i) "registrant" means a person who has registered or is registering pursuant to these Regulations;
- (j) "registration period" means the period of days appointed by Proclamation of the Governor in Council for registration as hereinafter provided;
- (k) "single man" means a person who was unmarried on July 15, 1940.

## REGISTRATION

2. (1) The Governor in Council may appoint a Chief Registrar for Canada who shall

- (a) exercise general direction and supervision over the administrative conduct of the registration of all persons of 16 years of age and over, held under these Regulations;
- (b) issue to Registrars and other persons employed at or with respect to registration under these Regulations such instructions as from time to time he may deem necessary;
- (c) execute and perform all other powers and duties which in these Regulations are imposed upon him.

(2) The Governor in Council may also appoint a Deputy Chief Registrar for Canada, who shall assist the Chief Registrar for Canada in the performance of the duties imposed upon him by these Regulations.

3. The Governor in Council may by Proclamation appoint a period of days for the registration hereinafter provided for.



4. (1) Every person who resides in Canada, man and woman, British subject or alien, who shall have attained his or her sixteenth birthday on or before the last day of the registration period as herein defined shall register in the manner prescribed in section nine of these Regulations: provided, however, that the following persons shall not be required to register, viz:—

- (a) Cloistered nuns;
- (b) Members of the Naval, Military and Air Forces of Canada on Active Service;
- (c) Persons confined in asylums for the insane or feeble minded, or in penitentiaries or prisons;
- (d) Inmates of institutions excepted by the Chief Registrar for Canada upon the recommendation of a Registrar for the electoral district in which the institution is situated.

Provided that information required with respect to any of the excepted classes mentioned in sub-sections (a) to (d) inclusive shall be made available to the Bureau of Statistics in a manner to be hereafter prescribed.

(2) Every person resident in Canada, man and woman, British subject or alien who,—

- (a) attains his or her sixteenth birthday after the last day of the registration period, or
- (b) ceases after the last day of the registration period to be a member of a class of persons exempted from registration under subsection one of this section, or

(c) was absent from Canada during the whole of the registration period, shall, within thirty days from the date of his or her sixteenth birthday in the case of persons mentioned in paragraph (a) or from the date of his or her ceasing to be exempted in the case of persons mentioned in paragraph (b) or from the date of his or her entry or re-entry into Canada in the case of persons mentioned in paragraph (c), register in the manner prescribed in section ten of these Regulations.

(3) Every person who fails to register as required by these Regulations may nevertheless register in the manner prescribed in section ten of these Regulations: provided that such subsequent registration shall not, except as herein otherwise provided, relieve such person from any penalty incurred for having failed to register during the registration period or within the time limited.

5. A central registry shall be maintained at the Dominion Bureau of Statistics at the City of Ottawa under the charge and direction of the Dominion Statistician.

### REGISTRARS

6. (1) The Chief Registrar for Canada shall on the nomination of the Minister of National War Services appoint a Registrar and one Chief Assistant for each electoral district who shall subscribe and take an oath of office in the form prescribed by the Chief Registrar for Canada and approved by Order in Council, before a judge, notary public, commissioner, justice of the peace, postmaster or other person authorized by law to administer oaths and shall forthwith cause the same to be returned to the Chief Registrar for Canada.

(2) The Registrar shall, having due regard to the public convenience, appoint a place or places of registration for each polling division in his electoral district and provide therein a suitable room or rooms for the conduct of the registration.

(3) Within two days after he has been advised by the Chief Registrar for Canada as to the dates fixed for registration, each Registrar shall publish a "Notice of Registration" in Form A of these Regulations. A copy of such notice shall be mailed to each post office in the electoral district. The postmaster shall post up such notice in a conspicuous place within his office, to which the public has access, and shall maintain it so posted up until the end of the registration period.

### DEPUTY REGISTRARS

7. (1) The Registrar shall appoint on the form prescribed by the Chief Registrar for Canada and approved by Order in Council, two competent persons whose handwriting is legible to be deputy registrars in each polling division.

(2) Every deputy registrar shall, before entering upon his duties, subscribe and take an oath of office in the form prescribed by the Chief Registrar for Canada and approved by Order in Council, before the Registrar of the electoral district for which he is appointed, a Chief Assistant, a judge, notary public, commissioner, justice of the peace, postmaster, or other person authorized by law to administer oaths, and shall forthwith cause the same to be returned to the Registrar.

(3) The deputy registrar shall, at least five days before the first day fixed for the registration, cause to be posted up in conspicuous places throughout his polling division, at least six copies of a notice in Form B of these Regulations, specifying the boundaries of the polling division, the dates fixed for registration and the location of the registration places appointed for that division.

(4) A deputy registrar may appoint such voluntary assistant deputy registrars as he may deem necessary to assist in the conduct of the registration in his polling division during the period of registration. Such voluntary assistant deputy registrars shall be appointed in the form prescribed by the Chief Registrar for Canada and approved by Order in Council and shall be sworn before the deputy registrar by whom they have been appointed in the form prescribed by the Chief Registrar for Canada and approved by Order in Council.

8. Copies of these Regulations, and of registration cards, together with instructions, shall be supplied by the Chief Registrar for Canada to the Registrars, and the Registrars shall distribute the same in sufficient numbers to the deputy registrars and moreover every Registrar shall fully instruct the deputy registrars in his electoral district as to their duties and the proper method of performing the same.

### REGISTRATION DURING REGISTRATION PERIOD

9. Every person required by these Regulations to register during the registration period shall attend at one of the places appointed for registration and truthfully declare to the deputy registrar his answers to the questions upon the appropriate registration card. The deputy registrar shall carefully and legibly write or cause to be written such answers upon the said registration card; the registrant shall sign the registration card thereby affirming the truth of the answers there recorded and the deputy registrar shall complete and sign the report on the said registration card. Where to the knowledge of the deputy registrar, a person is ill or incapacitated and cannot attend the registration booth in person, the deputy registrar may have a duly appointed voluntary assistant deputy registrar attend on such ill or incapacitated person to complete the registration card in the usual manner.



10. Every person required by these Regulations to register after the registration period shall within the time limited for registration by him by these Regulations attend at a post office in Canada, and complete a registration card to be furnished to him by the postmaster, and the postmaster shall, for the purposes of any such registration, perform all the duties and functions of, and shall be deemed to be a deputy registrar under these Regulations.

11. Every person, except as provided in the next preceding section, shall register during the registration period at the registration place for the polling division in which he ordinarily resides, or, subsequent to the registration period, at the post office nearest to his permanent place of residence; provided, however, that the Chief Registrar for Canada with the approval of the Governor in Council may permit registration otherwise than as herein prescribed upon being satisfied that a more complete registration can be otherwise secured.

12. (1) The deputy registrar shall issue to every registrant who has duly registered with him a certificate of registration in the form prescribed by the Chief Registrar for Canada and approved by Order in Council.

(2) If the registration certificate of any person should be lost or destroyed, worn out or defaced, he may, upon establishing the fact to the satisfaction of the Dominion Statistician at Ottawa, obtain from him a fresh certificate.

13. Registration cards for men and women shall be in the form prescribed by the Chief Registrar for Canada and approved by Order in Council.

14. Every registration card and every registration certificate shall bear the name of the appropriate electoral district and the name or number of the polling division thereon in the spaces provided for that purpose on the face of each of such documents.

15. During the registration period the places appointed for registration shall be opened at eight o'clock in the morning and they shall remain open until ten o'clock in the evening, both local time.

16. The deputy registrar may, when necessary, employ a person qualified to act as interpreter, who, before proceeding to interpret the questions and answers, shall take an oath before the deputy registrar in the following form: I, A.B., do solemnly swear (or affirm, if the interpreter be a person entitled to affirm) that I will truly interpret the questions submitted to and the answers given by the registrant, so help me God.

17. (1) The deputy registrar shall make duplicates of all registration cards of single men and widowers without children from the age of nineteen years to the age of forty-five years and shall enclose such duplicate cards in a separate envelope or parcel for transmission to the Registrar. The Registrar shall transmit the said duplicate registration cards to such judge as shall be named to him by the Chief Registrar for Canada.

(2) Registration cards after completion thereof shall be delivered by the deputy registrar to the Registrar, and by the Registrar to the Dominion Statistician in accordance with directions given by the Chief Registrar for Canada.

18. The Dominion Statistician shall be the custodian of the registration cards, and shall file, preserve, classify and deal with them, and abstract, co-ordinate and make available the information therein contained in the manner directed by the Governor in Council.

19. The Chief Registrar for Canada, the Deputy Chief Registrar for Canada, the Registrars, the Chief Assistants, the deputy registrars, the voluntary assistant deputy registrars, and the postmasters, as well as all clerks or

other persons engaged in the registration, or in the custody or use of the registration cards, shall preserve secrecy as to all information disclosed by the cards; and any of these officers, clerks or persons who discloses, except as officially or by law required, or as authorized by these Regulations or by the instructions of the Chief Registrar for Canada, any information so obtained shall be guilty of an offence and liable to a fine not exceeding five hundred dollars, or to imprisonment for any term not exceeding three months or to both such fine and such imprisonment.

20. (1) Every person required by these Regulations to register during the registration period who, without lawful excuse, omits, neglects or fails to register during such registration period, and every person required by these Regulations to register after the registration period who, without lawful excuse, omits, neglects or fails to register in the manner hereinbefore provided within the time limited therefor, shall be guilty of an offence, and shall be liable to a fine not exceeding two hundred dollars, or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment, and, moreover, to a further penalty not exceeding ten dollars for each day, after the day upon which he should have registered, during which he shall continue to be unregistered.

(2) Any person to whom a registration certificate has not been issued shall be deemed to be unregistered, and the burden of proving registration shall lie with the person who alleges it.

21. (1) Every registrant shall at all times carry upon his person his registration certificate, and shall produce it for inspection upon reasonable demand to any peace officer, police officer or constable who may in particular, without limiting the generality of this section, require any person present or attending at any public assembly, place of public resort or entertainment, ticket or telegraph office, or post office, or being in or upon any car, train or steamboat, to produce his registration certificate upon that occasion; and if any person so required shall, without reasonable excuse, refuse, neglect or fail to produce his registration certificate, he shall be guilty of an offence and liable to a fine not exceeding twenty dollars, and may be taken immediately before a justice of the peace to be dealt with according to law.

(2) Any person may at any time after the registration period be accosted by any peace officer, police officer or constable and questioned as to whether or not he is registered; it shall be the duty of any person so accosted to answer truthfully all relevant questions put to him concerning his registration, and if he answers untruthfully or evasively, or if the officer questioning shall have reasonable ground to believe that his answers are untruthful or evasive, the officer may detain such person and take him before a justice of the peace to be dealt with according to law.

22. If any person upon his registration refuses to answer any question on his registration card, he shall be guilty of an offence and liable to a fine not exceeding one hundred dollars.

23. If any person upon his registration wilfully gives a false or misleading answer to any question on his registration card, he shall be guilty of an offence, and liable to a fine not exceeding two hundred dollars or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment.

24. Every person who falsely represents himself to be a person to whom a registration certificate has been issued, shall be guilty of an offence, and liable to a fine not exceeding two hundred dollars, and not less than fifty dollars, or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment.



25. Every person who counsels or advises any other person to refuse or omit to comply with any of the provisions of these Regulations or who impedes or attempts to impede any person in the performance of his duties under these Regulations shall be guilty of an offence and liable to a fine not exceeding two hundred dollars, or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment.

26. It shall be the duty of any person registered under these Regulations to answer truthfully in writing, any questions which may be submitted to him in print or in writing by or under the direction of the Chief Registrar for Canada touching the answers upon his registration card, or requiring further information concerning any of the matters therein mentioned or referred to, and to return his answers to any such questions to the Chief Registrar for Canada, or to any other officer as may be required, either personally or by registered post, within ten days after the day when he shall have received the questionnaire; and every such person who refuses, fails or neglects, without lawful excuse, to return his answers to such questions within the time aforesaid shall be guilty of an offence, and liable to a fine not exceeding fifty dollars.

27. Any person registered under these Regulations who afterwards marries or changes his or her place of residence shall within fourteen days notify the Dominion Statistician at Ottawa of the date of his or her marriage, and of the name and place of residence of the person whom he or she married, or of the place of residence and post office address to which he or she has removed, as the case may be, and any such person who refuses, fails or neglects, without lawful excuse, to comply with the provisions of this section, shall be guilty of an offence and liable to a fine not exceeding fifty dollars.

28. For the purposes of carrying into effect the provisions of these Regulations or supplying any deficiency therein, the Chief Registrar for Canada may issue such directions not inconsistent therewith as may be deemed necessary to give effect to these Regulations according to their true intent and purpose and any such direction shall have the same force and effect as if enacted in these Regulations.

29. Every Registrar, Chief Assistant, deputy registrar, postmaster or other person charged with any duty under these Regulations who refuses, fails or neglects, without lawful excuse, to comply with these Regulations or any direction duly given by the Chief Registrar for Canada shall be guilty of an offence and liable to a fine not exceeding two hundred dollars.

30. Every offence against these Regulations or any amendment or addition thereto shall be punishable upon summary conviction, in the manner prescribed by Part XV of the Criminal Code, before any police or stipendiary magistrate, or before two justices of the peace, or any magistrate having the authority of two justices of the peace.

31. The Northwest Territories shall be deemed to be an electoral district for the purposes of these Regulations, and the Commissioner in Council of the Northwest Territories may appoint a Registrar or Registrars and a Chief Assistant or Chief Assistants for such district and, furthermore, may appoint a registration period different from that fixed by the Governor in Council for the registration and may by order or regulation vary the procedure to be adopted in the taking of the registration.

32. All accounts and expenses in connection with the administration of these Regulations shall be taxed and paid by the Auditor General.

33. Upon the recommendation of the Chief Registrar for Canada, the Governor in Council may make a tariff of fees, costs, allowances and expenses to be paid and allowed to Registrars and other persons employed at or with respect to registration under these Regulations, and may, from time to time, revise and amend such tariff.

34. It shall be the duty of the Chief Registrar for Canada to furnish to the various postmasters throughout Canada, and to the other officers who require them for the purposes of these Regulations, a sufficient supply of registration cards for the use of persons required to register from time to time, or who fail to register on the appointed day, or who are authorized to register afterwards, and as well with copies of these Regulations and the pertinent instructions thereunder; it shall be the duty of the postmasters, and of such other officers, to make themselves thus acquainted with the Regulations, instructions and duties of the deputy registrars and to attend to the taking and recording upon the cards of the answers of the persons aforesaid who present themselves for that purpose, and generally, except as herein otherwise provided, to discharge in respect to the execution of the registration cards of such persons the duties of deputy registrars as herein defined.

35. All letters or mailable matter addressed to the Chief Registrar for Canada, at Ottawa, or sent by the said Chief Registrar for Canada, at Ottawa, shall be free of Canadian postage under such regulations as the Postmaster General shall prescribe.

## FORM A

### NATIONAL REGISTRATION REGULATIONS, 1940. NOTICE OF NATIONAL REGISTRATION

ELECTORAL DISTRICT OF.....

PROVINCE OF .....

PUBLIC NOTICE IS HEREBY GIVEN pursuant to the *National Registration Regulations, 1940*.

That a proclamation has been issued by the Governor in Council ordering every resident in Canada who has attained the age of 16 years on or before the last day of the period of registration herein mentioned shall personally register before a deputy registrar appointed for that purpose for each of the polling divisions in the above mentioned electoral district.

That the days fixed for such registration are , and , the , and days of August, 1940.

That the territorial unit adopted for this registration will be the polling division as fixed for the last Dominion General Election.

That premises have been secured as registration places for each of such polling divisions.

That before the days fixed for registration the exact location of each registration place, and other necessary particulars will be advertised in notices posted up in conspicuous places, by the deputy registrars concerned, in the polling divisions for which they have respectively been appointed to act.

That the *National Registration Regulations, 1940*, prescribe severe penalties for failing to register, for failure to answer any question on the registration card, or for answering questions untruthfully.



And that I have established my office as Registrar for the above mentioned electoral district at (*giving the location of the Registrar's office*) of which all persons are hereby required to take notice and to govern themselves accordingly.

Given under my hand at.....in the above mentioned electoral district, this.....day of....., 1940.

Registrar.

## FORM B

### NATIONAL REGISTRATION REGULATIONS, 1940.

#### NOTICE OF NATIONAL REGISTRATION

ELECTORAL DISTRICT OF.....

POLLING DIVISION No. ...., .....

(insert name of polling division, if any)

bounded as follows:

(insert complete description of boundaries of polling division)

PUBLIC NOTICE IS HEREBY GIVEN,

That the undersigned have been appointed deputy registrars to take the registration of all persons resident in the polling division above described who have attained the age of 16 years on or before the last day of the registration period herein mentioned.

That the days fixed for such registration are....., ..... and.....the.....,.....and.....days of August, 1940.

That the place of registration appointed for the above mentioned polling division will be at.....  
(here insert exact description of the place of registration)

That the hours during which registration will be conducted will be from 8 o'clock in the forenoon until 10 o'clock in the evening, both local time, on each of the said days.

That all persons of 16 years and upwards, residing in the above polling division, are required personally to attend at such registration place to complete their registration during the days and hours mentioned.

That the *National Registration Regulations, 1940*, prescribe severe penalties for failing to register, for failure to answer any question on the registration card, or for answering any questions untruthfully.

Given under our hands at.....in the above mentioned electoral district, this.....day of....., 1940.

Deputy Registrar

Deputy Registrar