

Colonial Naval Defence Act, 1931.

[21 GEO. 5. CH. 9.]



ARRANGEMENT OF SECTIONS.

A.D. 1931.

Section.

1. Colonial vessels of war.
2. Colonial naval forces.
3. Expenses of colonial vessels and naval forces while at disposal of His Majesty.
4. Short title, repeal and saving.



CHAPTER 9.

An Act to amend and consolidate the Colonial Naval Defence Acts, 1865 and 1909. A.D. 1931.

[3rd March 1931.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

1.—(1) The legislature of any colony may, with the approval of His Majesty in Council, make provision at the expense of the colony for maintaining and using vessels of war, subject to such conditions as His Majesty in Council may approve. Colonial vessels of war.

(2) The powers conferred on the legislature of a colony by the last foregoing subsection may be exercised in conjunction with the legislature of any other colony.

(3) His Majesty in Council may, on such conditions as he thinks fit, authorise the Admiralty to accept any offer made by the Government of a colony to place at His Majesty's disposal for general service in the Royal Navy any vessel of war maintained by the colony, and while any such vessel is at the disposal of His Majesty as aforesaid, it shall be deemed for all purposes to be a vessel of war of the Royal Navy.

2.—(1) Where the legislature of any colony has made provision for raising a force for the naval defence of the colony within its territorial waters, that legislature Colonial naval forces.

A.D. 1931. may, with the approval of His Majesty in Council, further provide that all or any of the officers and men of that force—

- (a) shall, whether serving ashore or afloat or within or without the limits of the colony, be subject to all the enactments and regulations for the time being in force for the enforcement of discipline in the Royal Navy, with such modifications and adaptations as may be made by the legislature to adapt those enactments and regulations to the circumstances of the colony;
- (b) shall be liable to service and training in any ship, establishment or other place without the limits of the colony, whether belonging to the colony or not;
- (c) shall, in the case of officers or men entered on the express terms of accepting general service in the Royal Navy in emergency, form part of the Royal Naval Reserve or of the Royal Naval Volunteer Reserve or that some shall form part of the Royal Naval Reserve and others of the Royal Naval Volunteer Reserve :

Provided that the enactments and regulations for the time being in force relating to officers and men of the Royal Naval Reserve and Royal Naval Volunteer Reserve raised in the United Kingdom shall not, subject to the provisions of the next following subsection, apply to officers or men raised by a colony except in so far as those enactments and regulations may be applied by the legislature of the colony under the foregoing provisions of this subsection.

(2) His Majesty in Council may, on such conditions as he thinks fit, authorise the Admiralty to accept any offer made by the Government of a colony to place at His Majesty's disposal for general service in the Royal Navy the whole or any number of the officers or men of the force raised by the colony as aforesaid, and while any such officers and men are at the disposal of His Majesty—

- (a) such of them as do not form part either of the Royal Naval Reserve or of the Royal Naval

Volunteer Reserve shall be subject to all the enactments and regulations for the time being in force relating to officers and men of the Royal Navy; A.D. 1931.
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- (b) such of them as form part of the Royal Naval Reserve shall be subject to all the enactments and regulations for the time being in force relating to officers and men of the Royal Naval Reserve raised in the United Kingdom while in actual service;
- (c) such of them as form part of the Royal Naval Volunteer Reserve shall be subject to all the enactments and regulations for the time being in force relating to officers and men of the Royal Naval Volunteer Reserve raised in the United Kingdom while in actual service:

Provided that the amount of the pay, wages, pensions, grants and other emoluments of any such officers and men while at the disposal of His Majesty, or of their wives, widows, children or other dependants, shall be such as may be determined by the legislature of the colony.

3. Nothing in this Act or any Order in Council made thereunder shall be taken to authorise the payment out of the revenues of the United Kingdom of any expenses incurred in equipping or maintaining any vessel, officers or men placed at the disposal of His Majesty under this Act, or in providing the pay, wages, pensions, grants or other emoluments of any such officers or men or of their wives, widows, children or other dependants, but any such expenses may be so paid, if, and so far as, moneys may be provided by Parliament in any year for that purpose. Expenses of colonial vessels and naval forces while at disposal of His Majesty.

4.—(1) This Act may be cited as the Colonial Naval Defence Act, 1931. Short title, repeal and saving

(2) The Colonial Naval Defence Act, 1865, and the Colonial Naval Defence Act, 1909, are hereby repealed: 28 & 29 Vict. c. 14.

Provided that, without prejudice to the provisions of section thirty-eight of the Interpretation Act, 1889, any provision made or authority given in pursuance of the Colonial Naval Defence Acts, 1865 and 1909, if in 9 Edw. 7. c. 19. 52 & 53 Vict. c. 63.

A.D. 1931. force at the commencement of this Act, shall continue
— in force, and, so far as it could have been made or given
in pursuance of this Act, shall have effect as if made or
given in pursuance of this Act.

(3) The powers conferred by this Act are in addition
to, and not in derogation of, any powers which would be
exercisable by the legislature of a colony apart from
this Act.

(4) Nothing in this Act shall be taken to affect the
provisions of the Naval Discipline (Dominion Naval
Forces) Act, 1911.

1 & 2 Geo. 5.
c. 47.

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