



ANNO VICESIMO TERTIO ET VICESIMO QUARTO

# VICTORIÆ REGINÆ.

A.D. 1860.

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## No 7.

*An Act to facilitate the formation of an Auxiliary Volunteer Military Force within the Province of South Australia.*

[Assented to, 17th October, 1860.]

**W**HEREAS it is expedient to make provision for the increase of Preamble.  
the Volunteer Military Force of the Province of South Australia without increasing the expense thereof, in order to greater security against foreign invasion—Be it therefore Enacted, by the Governor-in-Chief of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said Province, in this present Parliament assembled, as follows:

1. It shall be lawful for the Governor, in addition to the number of volunteers enrolled under the provisions of an Act, No. 2 of 1854, intituled “An Act to organize and establish a Volunteer Military Force in South Australia” and the “Volunteer Amendment Act, No. 17 of 1859, to accept and avail himself of the services of such persons as may be willing to serve as volunteers without receiving any pay, and who shall enrol, organize, and train themselves as such volunteers, and take the Oath of Allegiance hereinafter prescribed, and shall provide, at their own expense, all such necessary and fitting horses, arms, ammunition, clothing, uniforms, and accoutrements as the members of the several troops or companies who shall so enrol themselves shall respectively determine. Governor may enrol volunteers who arm and equip themselves.

2. Such persons as aforesaid shall be empowered to appoint their own officers, and, with the consent of the Governor, to make such rules and regulations for their own governance as they may deem necessary in the first instance, and from time to time with the like Such volunteers to make regulations, &c., with consent of Governor.  
consent

consent to alter such rules and regulations when deemed advisable; and such persons, when enrolled as volunteers, shall be entitled to the same exemptions, immunities, and privileges, as the volunteers enrolled under the provisions of the before-mentioned Acts: Provided always, that no persons shall be enrolled as volunteers, as aforesaid, until the rules and regulations, made as aforesaid, shall have been approved by the Governor, and that no officer to be appointed as aforesaid shall have command over the volunteers herein authorized to be raised, or shall have any rank or authority, till his appointment shall have been confirmed by the Governor: Provided also, that the Governor shall be authorized to appoint any person to inspect such volunteers, at any meeting held by them, for drill practice or other purpose.

In case of invasion volunteers to be under the control of the Governor.

3. Notwithstanding the provisions of this Act, the volunteers to be raised by virtue hereof shall, in case of the invasion of the said Province by any Foreign Power, or the imminent danger of such invasion, be subject to all such rules and regulations as shall be established for the governance of the said Volunteer Military Force of the said Province, by virtue of the said Act No. 2 of 1854, and shall be in all respects placed on the same footing as the volunteers enrolled under the provisions of the said last-mentioned Act.

Volunteers to take the oath of allegiance.

4. Every volunteer, who may be enrolled under the authority of this Act, shall, on being enrolled, take the following oath, to be administered by any Justice of the Peace for the said Province:—

I, A.B., do sincerely promise and swear, that I will be faithful, and bear true allegiance to Her Majesty, Her heirs, and successors, and that I will faithfully serve in the Volunteer Force of the Province of South Australia, under the provisions of the Auxiliary Volunteer Act of 1860, for the defence of the said Province, until incapacitated by age, infirmity, or otherwise, unless I shall sooner resign, be discharged, or quit the said Province.

Governor may disband corps.

5. It shall be lawful for the Governor at any time to disband any corps raised under the authority of this Act, by Proclamation in the *Government Gazette*, and from the date of such Proclamation all exemptions, immunities, and privileges conferred by this Act upon such Volunteers, shall cease and determine: Provided always, that all persons who shall have completed the full term of three years' service in such volunteer force, shall be exempt from service in any other force, until the expiration of six years from the date of their discharge, or the disbandment of the troop or company to which they may belong.

Commencement of Act.

6. This Act shall take effect from the day on which a notification by the Governor of assent having been given thereto shall be published in the *South Australian Government Gazette*.

Short title.

7. This Act may be cited as the "Auxiliary Volunteer Act of 1860."