

T A S M A N I A.

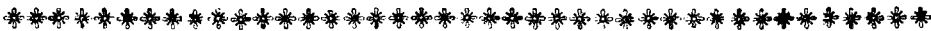


1885.

ANNO QUADRAGESIMO-NONO

VICTORIÆ REGINÆ,

No. 16.



AN ACT to make better provision for the Defence of the Colony of *Tasmania*. A.D. 1885.

[5 December, 1885.]

BE it enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

- 1 This Act may be cited as “The Defence Act, 1885.” Short title.
- 2 In this Act, unless the context otherwise determines,— Interpretation.
 - “Minister” means the Responsible Minister of the Crown for the time being administering this Act :
 - “Defence Force” or “Force” means the Defence Force hereby authorised to be created :
 - “Commandant” means the Officer commanding the Force for the time being :
 - “Senior Naval Officer” means the Senior combatant Commissioned Officer of the Marine Force for the time being :
 - “District” means a District appointed under this Act :
 - “Corps” means any Troop or Company of Cavalry or Mounted Infantry, Battery of Artillery, Company of Engineers, Company of Naval Volunteers, Torpedo Corps, Company of Infantry, or any Corps of Cadets ; but so that where Two or more Companies of Infantry are formed into a Battalion or Regiment in one District, the Battalion or Regiment shall be the “Corps :”

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“Commanding Officer” means the Officer Commanding the Corps :

“Existing Corps” means a Corps whose services have been accepted under any Act hereby repealed :

“Member” means any member of a Corps :

“The Army Act” means the Act of the Imperial Parliament called “The Army Act, 1881,” and any Act or Acts amending or in substitution for it, and includes the Articles of War made under the authority of such Act or Acts, and for the time being in force :

“Naval Discipline Act” means the Act of the Imperial Parliament called “The Naval Discipline Act, 1866,” and any Act or Acts amending or in substitution for it, and includes the Articles of War made under the authority of such Act or Acts, and for the time being in force :

“Regulations” means the Regulations made by the Governor under the provisions of this Act :

“Prescribed” means prescribed by this Act or the Regulations.

Governor to be
Commander-in-
Chief.

3 The Governor shall be Commander-in-Chief of all the Naval and Military Forces of *Tasmania*.

Defence Force.

Defence Force of
whom composed.

4 There shall be a Defence Force in *Tasmania*, consisting of all the male inhabitants of *Tasmania* between the ages of Eighteen years and Fifty-five years, who are not exempted or disqualified by this Act, and who are British subjects by birth or naturalisation ; but the Governor may require all the male inhabitants of the Colony capable of bearing arms to serve in case of war or invasion.

Exemptions.

Persons always
exempted.

5—(1.) The following persons, between the ages of Eighteen and Fifty-five years, shall be exempt from enrolment, and from actual service at any time :—

The Judges of the Supreme Court and all Police Magistrates ;

The clergy and ministers of all religious denominations ;

The superintendents, gaolers, and warders of gaols, and the officers, keepers, and warders of all public lunatic asylums and charitable institutions ;

Persons disabled by mental or physical infirmity ;

The only son of a widow, being her only support.

Exempted except
in case of war, &c.

(2.) And the following, though enrolled, shall be exempt from actual service at any time, except in case of war, invasion, or insurrection :—

Half-pay and retired officers of Her Majesty’s Army or Navy ;

Seafaring men and sailors actually employed in their calling ;

Masters of schools actually engaged in teaching.

Quakers, &c.

(3.) Any person otherwise subject to military duty, whom the doctrines of his religion forbid to bear arms or perform military service,

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shall be exempt from such service when balloted in time of peace or war, upon such conditions as may be prescribed. A.D. 1885.

(4.) No person shall have the benefit of exemption unless he proves his right thereto in manner hereinafter prescribed. Exemption must be claimed.

(5.) When exemption is claimed, whether on the ground of age or otherwise, the burden of proof shall be upon the claimant. And proved.

(6.) Exemption shall not prevent any person from serving, if he desires it and is not disabled by mental or physical infirmity. Not to prevent volunteering.

6 The male population liable to serve in the Defence Force shall be divided into four classes, as follows:— Classification of the population for purposes of service.

The First class shall comprise all men of the age of eighteen years and upwards, but under thirty years, who are unmarried, or widowers without children; First class.

The Second class shall comprise all men of the age of thirty years and upwards, but under forty-five years, who are unmarried, or widowers without children; Second.

The Third class shall comprise all men of the age of eighteen years and upwards, but under forty-five years, who are married, or widowers with children; Third.

The Fourth class shall comprise men of the age of forty-five years and upwards, but under fifty-five years. Fourth.

And whenever it is necessary to call upon men to serve in the Defence Force, they shall be so called upon in the order aforesaid. Order for service.

Division of Defence Force.

7 The Defence Force shall, in the first instance, consist of the Active Land and Marine Forces. Divisions of the Force.

The Active Land Force shall be composed of corps raised in the first instance by voluntary enlistment. Land Active.

The Active Marine Force shall be composed of corps raised in the same manner, and the members of such Corps shall be seamen, sailors, yachtsmen, and persons whose usual occupation is or has been upon any steam or sailing ship. Marine Active.

Active Force.

8 The Active Force may consist of regiments and troops of cavalry, companies of mounted infantry, batteries of field artillery, batteries of garrison artillery, companies of engineers, companies of submarine miners, battalions, regiments, and companies of infantry, and naval and marine corps, in such proportions as the Governor shall appoint; and the strength of each such regiment, troop, battery, company, battalion, or corps shall be regulated from time to time by the Governor. Of what corps the Active Force shall consist.

The total number of officers and men in all branches of the Active Force, including the Volunteer Reserve Force hereinafter mentioned, shall not, in time of peace, exceed Twelve hundred.

9 Every corps shall be established in and for some place to be appointed by the Governor. Corps where established.

Period of Service.

10 The period of service in the Active Force in time of peace shall be Three years, and any man who has served for that period shall be exempt from again serving until all other men of the same class in his District have been called upon to serve. Period of service.

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Existing Volunteer Corps.

Existing Volunteer Corps to continue.

11 Every Volunteer Corps whose services have been accepted under any Act hereby repealed shall continue in existence as a Corps under the provisions of this Act, in the same manner as if it had been formed under this Act: Provided that any Volunteer, being a member of any such Corps, may within Three months after the passing of this Act, retire from such Corps on giving Fourteen days' notice in writing to his Commanding Officer of his intention so to do.

The period for which any man has been an efficient member of an existing Corps may be counted for or towards the period of Three years' service in the Defence Force entitling a man to exemption from further service.

Military Districts.

Military Districts.

12 The Governor in Council may from time to time by Proclamation appoint any part of the Colony to be a District for the purposes of this Act, and may direct what Force shall be established in such District.

Volunteers.

13 Whenever the Governor has appointed that any Corps of any branch of the Service shall be established in any District or place, any man volunteering to serve therein shall give in his name to a person appointed for that purpose by the Governor, and so soon as a sufficient number of men between the ages of Eighteen and Forty-five years have so volunteered, the Corps shall be deemed complete:

Provided that when a larger number of men volunteer to serve in any Corps than is appointed by the Governor, a sufficient number shall be chosen out of them in the prescribed manner:

Provided further that if any member of an existing Corps, not being over the age of Fifty-five years, volunteers to serve in any Corps, he shall be enrolled therein in priority to other men so volunteering.

Signing roll and taking oath of allegiance.

14 Every man on enlistment under this Act shall sign a service roll in which the conditions of his service shall be stated; and every officer, on appointment, and every man, on enlistment, or re-enlistment, shall take the oath following:—

“I, *A.B.*, do sincerely promise and swear (*or* solemnly declare) that I will be faithful and bear true allegiance to Her Majesty.”

Such oath or declaration may be administered by a Justice of the Peace, or by the Commanding Officer of the Corps, if he has previously taken the oath before a Justice of the Peace.

Any member of an existing Corps who does not retire from such Corps as hereinbefore provided shall sign the service roll of the corps under this Act.

Filling vacancies in Active Corps.

15 When by reason of death or removal vacancies occur in any active Corps established under this Act, such vacancies shall be filled either by voluntary enlistment or by ballot, as circumstances may require.

Formation of Corps.

Corps to be formed by voluntary enlistment.

16 Corps shall be raised in the first instance by voluntary enlistment only, and the provisions of this Act relating to compulsory enlistment shall not be put in force except when a sufficient number of men do not volunteer to keep up the respective Corps to their proper strength.

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17—(1.) The enrolment of men shall be made in each district by such person (to be called the “Enrolment Officer”), and at such time or times as may be appointed by the Governor in Council; and it shall be the duty of the Enrolment Officer, by actual enquiry at each house in the district, to make and complete, from time to time, a correct roll of the names of all the men of such one or more of the classes hereinbefore defined resident within the district, as may be directed, specifying their ages and condition, and distinguishing those who are seamen, sailors, yachtsmen, or persons engaged in or upon any steam or sailing ship, those who are *bonâ fide* enrolled members of any active corps, and those who have completed such a term of service in the Defence Force or in an existing corps, or both, as will exempt them until they are again required in their turn to serve.

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How and by whom enrolment shall be made.

(2.) Such roll shall be made out in duplicate, and one copy must be forwarded without delay to the Commandant.

Roll to be in duplicate; to whom to be sent. Effect of enrolment.

(3.) The Roll shall be *primâ facie* evidence of the particulars contained in it, and the persons enrolled shall be liable to serve under the provisions of this Act, unless exempt.

Balloting.

18 Whenever any corps is reduced below, or is not formed up to, its proper strength, and has so remained below its proper strength for a period of one month after notice has been given by the Governor in the *Gazette* of his intention to cause a ballot to be held for men to serve in that corps, the following provisions shall have effect:—

Ballot in case of reduced numbers.

- i. The necessary number of men to maintain the corps at its proper strength shall be drawn by ballot;
- ii. The ballot shall be of the men enrolled for the district in which the place in which the corps is established is situated;
- iii. When a ballot is taken for more than one corps at the same time and place, the men taken or accepted and enrolled for service in the Active Force shall be attached to such of the said corps as the Governor may order;
- iv. Ballots shall be taken in the prescribed manner.

19 When a ballot is taken, the men enrolled in the First class and liable to serve shall be first balloted.

Ballot when sufficient men do not volunteer.

If the number of men required to be balloted is greater than the whole number of men in the First class, then the number required to make up the deficiency shall be balloted for from those in the Second class.

If more men than the whole number in the First and Second classes are still required, then the number requisite to make up the deficiency shall be balloted for from the Third class.

In like manner, if more men than are in the First, Second, and Third classes are still required, then the number requisite to make up the deficiency shall be balloted for from the Fourth class.

At no time shall more than one son belonging to the same family residing in the same house, if more than one are inscribed on the roll, be drawn, unless the number of names so inscribed is otherwise insufficient to complete the required proportion of service men.

Proviso as to sons of one family.

20 Any man balloted for service may at any time secure exemption, until again required in his turn to serve, by furnishing an acceptable

As to substitutes for men balloted.

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substitute on or before the day fixed for joining the corps for which he is balloted; but if during any period of service any man who is serving in the Active Force as a substitute for another becomes liable to service in his own person, he shall be taken for such service, and his place as substitute shall be supplied by the man in whose stead he was serving.

Men balloted to serve.

21 Any man drawn by ballot shall be bound to take the prescribed oath and sign the service roll, and shall thereupon become a member of the corps.

Ages of officers and men.

22 Any man of the Active Force who during any period of service attains the age of Thirty years or Forty-five years, according to his class, shall notwithstanding be required to complete the full period for which he volunteered or was balloted to serve.

Notice by Volunteers before retiring.

23 No officer or man of an Active Corps shall be permitted to retire therefrom in time of peace without giving to his Commanding Officer Six months' notice, in writing, of his intention, unless the Commandant or Senior Naval Officer shall see fit to dispense with such notice under special circumstances.

Separate periods of service may be added together.

24 Any officer or man who has been a member of the Active Force, and retires therefrom under the last preceding Section, and subsequently re-enlists in the same or any other Corps, shall be entitled to add together his separate periods of service for the purpose of making up the period of Three years' service in this Act mentioned.

Advantage may be taken of the provisions of this Section in respect of any number of re-enlistments, but a man shall not be allowed to count more than one period of service of less duration than Six months.

Enrolment of horses.

25—(1.) The Governor may make Regulations for the enrolment of such horses as may be necessary for the purposes of batteries of field artillery, troops of cavalry, and companies of mounted infantry.

Other Corps when required.

(2.) A military train, and a medical staff, as well as a commissariat, transport, hospital and ambulance Corps, may be formed whenever the exigencies of the Service require it, at such places, in such manner, and of such strength, including the proper officers, as the Governor may direct.

Disbanding Corps.

26 The Governor may, at any time, disband any Active Corps, if he considers it necessary so to do.

Volunteer Reserve Force.

Provision for forming Reserve Force.

27 A Reserve Force may be formed, under and subject to Regulations as to drill and training and otherwise, of such men who shall have served in the Active Force for the full period of Three years required by this Act: Provided that no man shall be allowed to become a member of such Reserve Force unless he has been classed as an effective member of the Active Force for Three years at least of his service with such Force.

Permanent Force.

Provision for military schools based on Corps

28 In order to provide for the care and protection of batteries, magazines, armaments, warlike stores, and other such service, and to

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secure the establishment of a school for military instruction in connection with the Defence Force, the Governor may raise, station, and maintain, in addition to the Twelve hundred men hereinbefore limited, one battery of artillery, the whole strength of which shall not exceed Fifty men. The officers of this Corps shall be appointed during pleasure, and the men shall be enlisted in the prescribed manner for periods of Five years' continuous service.

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enlisted for continuous service.

(2.) This Corps, in addition to performing garrison and other duties, shall serve as a practical school of military instruction, by affording officers, non-commissioned officers, and men of the Defence Force opportunities of study and training by joining the Corps for such periods as may be prescribed.

Purposes and duties of such Corps.

(3.) The officers, non-commissioned officers, and men of this Corps, as well as the officers, non-commissioned officers, and men attached to it from time to time for instruction, shall, for purposes of discipline, be deemed to be called out for active service, and be subject to the laws and regulations which, under the provisions of this Act, apply to officers, non-commissioned officers, and men called out for such service.

To be deemed called out for active service.

The Police Force.

29 All men for the time being serving in the Police Force shall be members of the Defence Force, and may in case of any emergency be called upon by the Governor to serve in the Active Force, and shall thereupon become members of such Force for such period as the Governor may direct, not exceeding that for which other men are enrolled for active service under the provisions of this Act.

Provision for making use of the Police as a military force.

Officer commanding the Defence Force.

30 There shall be appointed an officer, to be styled the "Commandant, Defence Force of Tasmania," who shall be charged, under the orders of the Governor, with the military command and discipline of the Defence Force, and who, while holding such appointment, shall have the rank of Colonel in the Defence Force.

Officer commanding the Defence Force.

Officers.

31 Commissions of officers in the Defence Force shall be granted by the Governor. Warrant officers shall be appointed by the Minister. Sergeants and all other non-commissioned officers shall be appointed by the Commanding Officer of the corps to which they belong. All officers shall hold their rank during pleasure.

Commissioned and non-commissioned officers.

A Commission issued in any case under this Act by the Governor shall not be deemed vacated by the revocation, expiration, or discontinuance of the Commission by which the Governor was appointed, or by the death of the Governor.

32 No person shall be appointed an officer in the Active Force, except provisionally, until he has obtained a certificate of fitness from a board of officers of the Active Force, to be constituted as the Governor may appoint; or unless he had obtained a certificate of competency before the passing of this Act; and the Regulations may prescribe conditions as to the qualifications of officers of different grades. The Governor may order the assembling of such boards as often as may be expedient, and may dispense with the conditions of this section in the

Conditions of qualification of officers.

Board of Examination.

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Rank in time of peace. case of men who have served as officers or non-commissioned officers in Her Majesty's Regular Army, or in an existing Corps.
 (2.) In time of peace no person, except the Commandant, shall hold higher rank in the Defence Force than that of Lieutenant-colonel.
- Staff officers.** **33** The Governor may appoint staff officers of the Defence Force with such rank as from time to time may be found necessary for the efficiency of the service; and such staff officers shall have such rank and authority in the Defence Force as are held relatively in Her Majesty's service, and their duties shall be such as shall from time to time be prescribed.
- Officers on the retired list.** **34**—(1.) Officers holding commissions in the Defence Force may be placed on the retired list, with leave to wear the uniform of their Corps, with honorary rank not exceeding that of Lieutenant-colonel, or without honorary rank, as prescribed by the Regulations; and the Governor may appoint officers on the retired list to commissions in the Active Force, but no officer on the retired list shall be bound to serve in the Defence Force in a lower grade than that of his retired rank.
 (2.) The Governor may place officers of the Defence Force on an unattached list, and officers on such list may be employed for duty with any corps or on the staff.
- Officers on the unattached list.**
- Relative rank of officers.** **35** The relative rank and authority of officers in the Defence Force shall be the same as the relative rank and authority of officers in Her Majesty's regular army or navy, as the case may be; and any body of the Force assembled on parade shall be commanded by the combatant officer highest in rank then present on duty and in uniform, or the senior of two or more combatant officers of equal rank: Provided that no officer whose rank is provisional only shall under any circumstances command an officer of the same grade whose rank is substantive.
- Proviso.**
- Officers of H.M.'s Army to be senior.** **36** Officers of Her Majesty's Regular Army and Navy shall always be reckoned senior to officers of the Defence Force of the same rank, whatever be the dates of their respective commissions.
- Officers exempt from Jury service.** **37** Every Officer of the Defence Force shall be exempt from liability to serve on any Jury or Inquest.
- Clothing, and Arms and Accoutrements.*
- Officers to furnish their own.** **38** Commissioned officers shall provide their own uniforms, arms, and accoutrements.
- Quality of arms, &c.** **39** The arms and accoutrements of the officers and men of the Active Force shall be such as the Governor shall from time to time direct; and no such arms and accoutrements of the men shall be left in their possession except by special authority of the Commanding Officer.
- Responsibility for damages.** **40** The value of all such articles of public property as may become deficient or damaged while in possession of any Corps, otherwise than through fair wear and tear or unavoidable accident, may be recovered by the Commandant or any other person authorised by him, from the Commanding Officer, who shall be personally liable therefor, unless he can prove that the loss occurred without any negligence on his part.
- Recovery thereof.** The value of any such articles of public property or property of any

Defence.

Corps as have become deficient or damaged while in possession of the Corps, otherwise than through fair wear and tear or unavoidable accident, may be recovered by the Commanding Officer from the officer, man, or men by whom such deficiency or damage was occasioned, and the Commanding Officer shall not be personally liable except as aforesaid. A.D. 1885.

41 The several Corps established, or hereafter to be established, shall be supplied with uniform clothing of such colour, pattern, and design as may be prescribed for each arm of the service. Uniform clothing.

42 The several Corps shall be furnished with arms, accoutrements, and equipment, and the same shall be kept in public armouries, whenever there are such; and where there are no such public armouries, and until the same are provided, the Commanding Officer shall himself actually keep the arms, accoutrements, and equipment in a good and sufficient building, provided with suitable arm-racks and provision for the care thereof, and shall be personally responsible for such arms, accoutrements, and equipment; and the Commanding Officer may, at the discretion of the Governor in Council, be allowed annually such sum for the care of such arms, accoutrements, and equipment as may appear proper for the same; and no arms, accoutrements, or articles of equipment shall be taken or removed from any such public armoury, or from the care of such Commanding Officer, except as prescribed by the Regulations. Arms and accoutrements.

43 Any man serving in the Active Force shall, at the expiration of his period of service, or on his leaving *Tasmania*, or leaving the place where his Corps is established, return to his Commanding Officer all articles of public property or property of the Corps which he has in his possession, and shall obtain a written discharge from such Commanding Officer; and any man who leaves *Tasmania* with any articles of public property or property of the Corps in his possession shall be guilty of a Misdemeanor, and may be tried for the same at any subsequent time; and a record in the books of the Corps of his having so received, and not having returned, any articles of public property or property of the Corps, shall be evidence of possession thereof by him. Men leaving Corps or *Tasmania* to return clothing, &c. Penalty.

44 If any Volunteer, being a member of an existing Corps, retires from the Corps under the provisions of this Act, he shall give up in good order to his Commanding Officer all articles supplied to him as a Volunteer at the public expense, and not fairly expended by him in his service as a Volunteer, and in default shall be liable to a penalty amounting to twice the cost price of such articles, with full costs of prosecution. Volunteer not entering Defence Force to return clothing, &c.

45 No Corps of the Active Force, and no non-commissioned officer or man, shall at any time appear in uniform or armed or accoutred, except when on duty, or *bonâ fide* at parade or drill, or at target practice, or at reviews, or on field-days, or inspections, or on his way thereto or therefrom, or by leave of the Commanding Officer. When only to appear in uniform.

Drill and Training.

46 In time of peace the Active Force shall be trained and drilled annually for such periods as are authorised by this Act, and in accordance with the Regulations. Yearly training and drill in time of peace.

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Drill of Defence Force.

47—(1.) The Governor may order the officers and men of the Active Force, or any portion thereof, to be trained and drilled for a period not exceeding Sixteen days nor less than Five days in each year, at such time and places and in such manner as he may think fit; and for each day's drill every officer and man shall receive the prescribed pay of his rank.

To be paid out of Consolidated Revenue Fund.

(2.) All sums of money required to defray any expense under the foregoing provisions may be paid out of the Consolidated Revenue Fund, and the members of the Active Force shall be paid quarterly any sums of money to which they may be entitled thereunder.

Provisions respecting attending for drill and training.

(3.) The Governor may order the Active Force or any Corps thereof to assemble in a camp, fort, or other place for continuous drill and training for a period not exceeding Four days in each year, (which period is included in the Sixteen days hereinbefore mentioned); and when so ordered to assemble the Force or Corps shall be considered to be on active service during the whole of the period for which they are called out, and all ranks shall receive rations and shelter in addition to their daily pay.

In such cases the daily pay shall be for each day of Twenty-four hours, and the drill and duty to be performed in camp, or in going to and from the camp, shall be as ordered by the Officer Commanding for the time being.

Conditions of payment.

48 Payments for drill shall be made only upon proof of compliance with the Regulations as to drill and the efficiency of the several Corps; and any officer or man absent from drill shall forfeit his pay therefor.

Capitation grant.

49 Out of the Consolidated Revenue Fund there shall be paid annually to the Commanding Officers of the respective Corps of the Active Force a sum not exceeding Two Pounds Ten Shillings for each effective member of the Force as shown by the Roll of the preceding year. Every such payment shall be made in such manner, and be subject to such conditions, as may be prescribed.

Drill Instructors.

50 The Governor may, from time to time, appoint competent persons to instruct and drill the Force, and may award such remuneration therefor as he may think fit.

Occasional drill without pay.

51 The officers and men of any corps who reside within two miles of a place appointed for drill may assemble, or be ordered out, by the Commanding Officer for drill or exercise at such other times than those appointed for performing the drills hereinbefore specified as may be prescribed, not exceeding Four days in the year, and shall not be entitled to receive any pay therefor.

Power to dispense with drill and training in any year.

52 The Governor may, by any general order, dispense with the drill or training of any Corps or part of a Corps either in any particular year or until further order, and may, in like manner, again direct such drill and training, or either of them, to be resumed if he thinks fit; and any such order shall have the force of law according to the terms thereof.

Inspections.

Inspection.

53 The several Corps of the Active Force shall be subject to such inspections from time to time as the Governor may direct.

*Defence.**Rifle Ranges and Drill Sheds.*

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Rifle range.

54 At or as near as may be to the head-quarters of every Corps there may be provided a rifle range, with suitable butts, targets, and other necessary appliances; and the Governor in Council may direct to be stopped, at such time as may be necessary during the target practice of any Corps, the traffic on any roads (not being mail roads) that cross the line of fire, and may make Regulations for conducting target practice and registering the results thereof, and for the safety of the public, and may by the Regulations impose penalties for wilful damage to any such butts, targets, and appliances.

Every such range shall be exempt from all Municipal and Road Rates, and from every other rate, tax, and assessment whatsoever.

All such ranges shall be subject to inspection and approval before being used.

The owners of private property shall be compensated for any actual damage that may accrue to their respective properties from the use of any such rifle range.

Rifle and Drill Associations.

55 The Governor may sanction the organisation of rifle corps or clubs, and of associations for purposes of drill, under such conditions as may be prescribed, and may provide arms, accoutrements, and ammunition for them; but such corps, clubs, or associations shall not be provided with clothing or receive any allowance therefor.

Such Associations may be sanctioned.

Military Instruction in Schools and Colleges.

56 There may be furnished to any school in Tasmania, in which there are instituted classes for instruction in military drill and exercises in accordance with the Regulations, such arms and accoutrements as are necessary for the instruction of the pupils thereof over the age of Twelve years.

Arms for public schools.

Calling out in aid of the Civil Power.

57 The Active Force, or any Corps thereof, shall be liable to be called out for active service with their arms and ammunition, in aid of the Civil Power, in any case in which a riot, disturbance of the peace, or other emergency requiring such service occurs, or is, in the opinion of the Civil Authorities hereinafter mentioned, anticipated as likely to occur, and (in either case) to be beyond the powers of the Civil Authorities to suppress, or to prevent or deal with, whether such riot, disturbance, or other emergency occurs, or is so anticipated, within or without the District in which the Corps is raised or organised.

How and in what cases Active Force may be so called out in aid of the Civil Power.

It shall be the duty of the senior combatant officer of the Active Force present at any locality to call out the same or such portion thereof as he considers necessary for the purpose of preventing or suppressing any such actual or anticipated riot or disturbance, or for the purpose of meeting and dealing with any such emergency as aforesaid, when thereunto required in writing by the Mayor or Warden of the municipality in which such riot, disturbance, or other emergency occurs, or is anticipated as aforesaid; and to obey such instructions as may be lawfully given to him by such Mayor or Warden in regard to the suppression of any such actual riot or disturbance, or in regard to the anticipation of such riot or disturbance, or other emergency, or to the suppression of the same, or to the aid to be given to the Civil

Duty of senior officer present in the locality on requisition of the proper Civil Authorities.

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Power in case of any such riot, disturbance, or other emergency: Provided that it shall not be lawful for the officer in command of any portion of the Active Force so called out to order the men of such Force to fire on the populace, unless distinctly required so to do by such Mayor or Warden; and any such firing shall be conducted in the manner prescribed by the Queen's Regulations for the time being in force.

What the requisition must show.

Every such requisition in writing shall express on the face thereof the actual occurrence of a riot, disturbance, or emergency, or the anticipation thereof, requiring such service of the Active Force in aid of the Civil Power for the suppression thereof.

Duty of officers and men who shall be special constables.

Every officer and man of the Defence Force so called out shall, on every such occasion, obey the orders of the officer under whose orders he shall be; and the officers and men, when so called out, shall, without any further or other appointment, and without taking any oath of special office, be special constables, and shall be considered to act as such as long as they remain so called out; but they shall act only as a military body, and shall be individually liable to obey the orders of their officer only.

In this Section "Municipality" includes a Municipal District, and "Mayor and Warden" include a Police or Stipendiary Magistrate.

Calling out the Defence Force.

Commanding Officers may call out Defence Force on sudden emergencies.

58 The senior combatant officer in any District, or the Commanding Officer of any Corps, or in his absence the senior combatant officer of the Corps who may be present, may upon any sudden emergency of invasion, or imminent danger thereof, call out the whole or any part of the Force within his command until the pleasure of the Governor is known; and the men so called out shall obey all such orders as the officer under whose orders they shall be may give, and proceed to such place within or without the District as he may direct.

Calling out in time of war, &c. or danger thereof.

59—(1.) The Governor may call out the Defence Force or any part thereof for active service within the Colony at any time when it appears advisable so to do by reason of war or invasion, or danger of either; and the Active Force may then be increased to any required extent beyond the limit hereinbefore specified.

Furnishing reliefs.

(2.) The Governor may, from time to time, direct the furnishing by any District of such number of men as may be required either for reliefs, or to fill vacancies in Corps on active service.

Command of Force so called out.

(3.) Whenever the Defence Force or any part thereof is called out for active service by reason of war or invasion the Governor may place them under the orders of the Commander of Her Majesty's Regular Land or Naval Forces (as the case may be) in *Tasmania*.

Guards of honour on certain occasions.

(4.) The Active Force or any Corps thereof, or any part of a Corps, shall also be liable to be called out for active service, with their arms and ammunition, under the Regulations, to act as guards of honour, or escorts, or as guards and sentries, or to fire salutes in any of the following cases:—

(a) The opening or closing of any Session of the Parliament of *Tasmania*:

(b) For the purpose of attending at any public ceremonial:

(c) For the purpose of protecting any public building or property.

Period of service in time of war.

60 In time of war or otherwise, when the Defence Force is called out for active service under the provisions of this Act, no man shall be required to serve continuously for a longer period than One year; but

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any man who volunteers to serve for the war or for any longer period than One year shall be compelled to fulfil his engagement; and the Governor may, in cases of unavoidable necessity (of which necessity the Governor shall be the sole judge), call upon any man to continue to serve beyond his One year's service.

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61 Whenever the Defence Force, or any part or Corps thereof, is called out for active service, the officers and men so called out shall be paid at the prescribed rates.

Pay of Defence Force when called out.

Such pay and the reasonable cost of transport to and from any place where the services of the Force are required may be paid by warrant or order of the Governor in Council out of the Consolidated Revenue Fund.

Pay of men on active service.

62 The Active Land Force shall be subject to the Queen's Regulations and Orders for the Army; and every officer and man of the Land Force shall, from the time of being called out for active service, and also during the periods of annual drill or training under the provisions of this Act, and also during any drill or parade of his Corps at which he may be present in the ranks or as a spectator, and also when going to or from the place of drill or parade of his Corps, and also at any other time while in the uniform of his Corps, be subject to *The Army Act* and all other laws then applicable to Her Majesty troops in *Tasmania*, and not inconsistent with this Act, except that no man shall be subject to any corporal punishment except death or imprisonment for any contravention of such laws; and except also that the Regulations may prescribe that any provisions of the said laws or regulations shall not apply to the Defence Force.

To what laws Active Force shall be subject when called out.

63 The Active Marine Force shall be subject to the Queen's Regulations and Admiralty Instructions for the government of Her Majesty's Naval Force; and every officer and man therefor shall, from the time of being called out for active service afloat, and also during the periods of annual drill or training afloat, under the provisions of this Act, be subject to "The Naval Discipline Act" and all other laws then applicable to Her Majesty's Naval Forces in *Tasmania*, and not inconsistent with this Act, except that no man shall be subject to any corporal punishment except death or imprisonment for any contravention of such laws; and except also that the Regulations may prescribe that any provisions of the said laws shall not apply to the Defence Force:

To what laws Active Marine Force shall be subject when called out.

Provided that any corps or member of the Marine Force, not being part of a ship's company, may when on land be attached by the Governor to the Land Force for the purpose of drill, exercise, or active service, and when so attached shall be deemed, for the purposes of this and the last preceding Sections, to form part of the Active Land Force.

64 Any officer or man charged with any offence committed while serving in the Force shall be liable to be tried by Court Martial, and if convicted, to be punished therefor, and such liability shall continue during the whole period of his service, and during Three months after he is discharged from the Force or after the Corps to which he belongs or belonged is relieved from active service, notwithstanding that he has been so discharged, or that the Corps to which he belonged has been so relieved from active service; and any officer or man of the Force may be tried for the crime of desertion at any time without reference to the length of time which has elapsed since his desertion.

Trial by Court Martial after discharge or relief.

Trial for desertion.

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Attendance at
rendezvous.

65 Each man called out for active service shall attend at such time and place as may be required by the officer under whose command he is, with any arms, accoutrements, ammunition, and equipment that he has received, and with such provisions as such officer may direct.

Absence over
Seven days, trial
as deserter.

66 Any member of the Force who, when called out for active service, absents himself without leave from his Corps for a longer period than Seven days, may be tried by Court Martial as a deserter.

Provision for
men killed, &c.

67—(1.) When any officer or man is killed in active service, or dies from wounds or disease contracted on active service, provision shall be made for his wife and family out of the public funds.

And for men
permanently
disabled.

(2.) All cases of permanent disability, arising from injuries received or illness contracted on active service, shall be reported on by a medical board, and compensation awarded, in the prescribed manner; and any medical practitioner who signs a false certificate in any such case shall incur a penalty of One hundred Pounds.

Regulations for Transport and for Billeting and Cantoning Troops when on Actual Service, and furnishing Carriages, Horses, &c. for their Transport and Use.

Exemption from
tolls.

68 Any duty or toll which might otherwise be lawfully levied or demanded at any pier, wharf, quay, landing-place, ferry, or bridge, or at any gate or bar on a public road, shall not be demanded or taken for—

- i. Any officer or man of the Defence Force, being on march or duty, or going to or returning from the place appointed for, and on the day of, any duly authorised drill, parade, exercise, inspection, review, or other public duty, whether mounted, on foot, or in any conveyance, and being in uniform appropriate to the occasion;
- ii. Any horse or other beast ridden or used by any such officer or man on any such occasion as last aforesaid;
- iii. Any dray, cart, waggon, carriage, or other conveyance, public or private, employed only in carrying or conveying any such officer or man on any such occasion, being in uniform, with or without any conductor or driver of such dray, cart, waggon, carriage, or conveyance, or domestic servant of such officer or man, and which conductor, driver, or servant shall be equally exempt with such officer or man;
- iv. Any dray, cart, waggon, carriage, or conveyance, public or private, employed only in carrying, or conveying, or returning empty from carrying or conveying, having been employed only in carrying or conveying, any arms or baggage of any officer or man, being on march or duty, or going to or returning from the place appointed for drill, parade, exercise, inspection, review, or other public duty, or any military stores belonging to or for the use of, or any gun or its appurtenances belonging to or for the use of the Defence Force; or
- v. Any horse or other beast drawing any such dray, cart, waggon, carriage, or conveyance, gun, or appurtenances.

If any person knowingly demands or takes any duty or toll, whether on his own behalf or on behalf of any other person, in contravention of

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this Section, or if any person makes any false representation respecting himself or any other person, or any animal, or thing, with intent to obtain for himself or otherwise, or by any means fraudulently obtains for himself or otherwise, any exemption under this Section, he shall for every such offence be liable to a penalty not exceeding Five Pounds. A.D. 1885.

69 Every officer and man of the Defence Force being in uniform shall, on production of a pass signed by the Commanding Officer of the Corps, be conveyed free over all the *Tasmanian* Government Railways, from his home or usual place of residence, to all musters, drills, parades, and rifle practices, and back again. Free conveyance by Railway.

Any person, whether a member of the Defence Force or not, who fraudulently obtains, or attempts to obtain, free conveyance by railway under the provisions of this Section, either, in the case of a member of the Force, by falsely representing that he is on his way to or from any muster, drill, parade, or rifle practice, or, in the case of any other person, by wearing the uniform of any Corps, shall be liable for every such offence to a penalty not exceeding Ten Pounds.

70 The Governor may make Regulations for the billeting and cantoning of troops when on active service in time of war, for the furnishing of railway cars, engines, carriages, horses, boats, and other conveyances for their transport and use, and for adequate compensation therefor; and may, by such Regulations, impose fines not exceeding Five Pounds for breach thereof, and imprisonment in cases of default of payment of such fines. Regulations for billeting.

71 Any person lawfully required under this Act, or by the Regulations, to furnish any railway car, engine, boat, or other craft, for the conveyance or use of any troops, who neglects or refuses to furnish the same, shall be liable to a penalty not exceeding One hundred Pounds for each such offence. Penalty for refusing conveyance.

72 Nothing contained in this Act or the Regulations shall be construed to authorise the quartering or billeting of any troops, either on a march or in cantonment, in any house set apart as a residence for females, or to oblige the occupier of any such house to receive such troops, or to furnish them with lodging or house room. Not to be quartered in residence of females.

Courts of Inquiry and Courts Martial.

73 The Governor—

- i. May convene Courts of Inquiry and appoint officers of the Defence Force to constitute such Courts, for the purpose of investigating and reporting on any matter connected with the government or discipline of the Force, or with the conduct of any officer or man of the Force; and
 - ii. May convene Courts Martial, or delegate power to convene such Courts, and appoint, or delegate power to appoint, officers to constitute the same, for the purpose of trying any officer or man in the Force for any offence under this Act, and may delegate also power to approve, confirm, mitigate, or remit any sentence of any such Court; but no officer of Her Majesty's Regular Army or Navy on full pay shall sit on any such Court Martial.
- The Governor may convene Courts of Inquiry and Courts Martial.

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Composition and powers of Courts Martial.

Pay and allowances.

Attendance of witnesses.

Refusing to attend or give evidence, &c.

Offence to be certified to Court of Law and punished.

Sentence of death in certain cases only.

Subject to approval of the Governor.

Claiming for drills not performed.

Returning men not duly enrolled.

Claiming for drills performed with another Corps.

74—(1.) The Regulations for the composition of Courts of Inquiry and Courts Martial, and the modes of procedure and powers thereof, shall be the same as the Regulations which are for the time being in force relating to the composition, modes of procedure, and powers of Courts of Inquiry and Courts Martial for Her Majesty's Regular Army or Navy, as the case may be, and which are not inconsistent with this Act; and the pay and allowances of officers and others attending such Courts may be fixed by the Regulations.

(2.) Every person required to give evidence before a Court Martial may be summoned or ordered to attend.

(3.) If any person who is not enrolled in the Active Force is summoned as a witness before a Court Martial, and after payment or tender of the reasonable expenses of his attendance makes default in attending; or, being in attendance as a witness,—

(a.) Refuses to take an oath or affirmation which he is lawfully required by a Court Martial to take; or

(b.) Refuses to produce any document in his power or control which he is lawfully required by a Court Martial to produce; or

(c.) Refuses to answer any question to which a Court Martial may lawfully require an answer; or

(d.) Is guilty of any contempt towards the Court Martial by causing any interruption or disturbance in its proceedings;

the President of the Court Martial may certify the offence of such person under his hand to a Judge of any Court of Law or Police Magistrate in the locality having power to punish persons guilty of like offences in his Court, and such Court or Police Magistrate may thereupon inquire into the alleged offence, and if the person accused is found guilty, punish him in like manner as if he had committed such offence in a proceeding in such Court.

75 No officer or man of the Defence Force shall be sentenced to death by any Court Martial except for desertion to the enemy, or traitorously delivering up to the enemy any garrison, fortress, post, or guard, or traitorous correspondence with the enemy; and no sentence of any Court Martial shall be carried into effect until approved by the Governor.

Offences and Penalties.

76—(1.) Any commissioned officer who—

(a.) Knowingly claims pay on account of any drills performed with his Corps for any man belonging to any other Corps; or

(b.) Includes in any parade state or other return any man not duly enlisted and attached as a member of the Defence Force; and

(2.) Any non-commissioned officer or man of the Force who—

(c.) Claims or receives pay on account of any drill performed in the ranks of any other than his own proper Corps, or in more than one Corps during the annual drill in any year;—

shall be guilty of a Misdemeanor, and shall likewise be liable to be tried and punished by Court Martial.

Defence.

77 Any commissioned or non-commissioned officer of the Force who obtains under false pretences, or who retains or keeps in his own possession with intent to apply to his own use or benefit, any of the pay or moneys belonging to any other officer or man of any Corps, shall be guilty of a Misdemeanor, and shall be dismissed the service.

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Fraudulently retaining pay of the Corps.

Any commissioned or non-commissioned officer who knowingly signs a false parade state, roll, or pay list, or any false return whatever, shall be guilty of a Misdemeanor, and shall likewise be liable to be tried and punished by Court Martial.

Signing false parade roll.

78—(1.) Any person of whom information is required by any Enrolment Officer in order to enable him to comply with the provisions of this Act, who refuses to give such information, or gives false information, shall be liable to a penalty not exceeding Five Pounds for each item of information demanded of him and falsely stated, and the like sum for each individual name that is refused, concealed, or falsely stated; and every person who refuses to give his own name and proper information when applied to as aforesaid, or gives a false name or information, shall be liable to a penalty not exceeding Five Pounds.

Refusing required information, or giving false information.

(2.) Any person appointed in that behalf who refuses or neglects to make any enrolment or ballot, or to make or transmit, in the prescribed manner, any prescribed roll or return, or copy thereof, shall be liable to a penalty not exceeding Fifty Pounds for each offence.

Refusing to make enrolment, ballot, &c.

79 Any man drafted or liable to be drafted for service in the Active Force, who refuses to take the oath or to make the declaration hereinbefore prescribed, when tendered to him by a Justice of the Peace, or by the Commanding Officer of the Corps to which such man is attached, or which he is required to join, shall be liable to imprisonment for a period not exceeding Twelve months, and for every subsequent neglect or refusal to take such oath or make such declaration shall be liable to a further imprisonment not exceeding Two years.

Men drafted refusing to be sworn, &c.

Punishment.

80 Any officer or man, or any person whatsoever, who falsely personates another at any parade, or on any other occasion, for any of the purposes required by this Act, shall be guilty of a Misdemeanor.

Personating another on parade.

81 Any person who—

- i. Unlawfully disposes of or removes any arms, accoutrements, or other articles belonging to the Crown or any Corps; or
- ii. Refuses to deliver up the same when lawfully required; or
- iii. Has the same in his possession, except for lawful cause (the proof of which shall lie upon him);

Unlawfully disposing of arms, &c.

shall be liable to a penalty of Five Pounds for each offence; but this shall not prevent such offender from being prosecuted and punished for any greater offence if the facts amount to a greater offence, instead of being subjected to the penalty aforesaid.

Proviso.

Any person charged with any offence mentioned in this Section may be arrested by order of the Justice before whom the complaint is made, upon information on oath showing that there is reason to believe that such person is about to leave *Tasmania* carrying with him any such arms, accoutrements, or articles.

Arrest for such offences.

82 For the purposes of any proceedings in any Court of civil or criminal jurisdiction, all moneys subscribed by or for, or otherwise appropriated to the use of any Corps, and all arms, ammunition,

Subscriptions, arms, &c. vested in Commanding Officer.

Defence.

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accoutrements, musical instruments, or other things belonging to or used by any Corps, and not being the private property of a member of the Corps, shall be deemed to be vested in the Commanding Officer and to be his property, and may be so described in any information or other proceeding.

No gift, sale, or other alienation, or attempted alienation, of any such money, arms, ammunition, accoutrements, musical instruments, or other things, by any person, whether he is a member of the Corps or not, shall be effectual to pass the property therein without the consent of the Commanding Officer.

If any property belonging to or used by or for the Defence Force is not appropriated to any particular Corps, or it is uncertain to which Corps it belongs, the same shall be deemed to be the property of the Commandant.

No action or suit shall be discontinued by the death, resignation, or removal of the Commandant, or any Commanding Officer, but may proceed in the name of his successor.

Resisting draft,
&c.**83**--(1.) Any person who—

- (a) Resists any balloting or calling out of men enrolled under this Act; or
- (b) Counsels or aids any person to resist any such balloting or calling out, or the performance of any service in relation thereto; or
- (c) Counsels any man balloted or enlisted not to appear at the place of rendezvous; or
- (d) Wilfully dissuades any man balloted or enlisted from the performance of any duty required by law of members of the Force; or
- (e) Does any act to his detriment in consequence of his having performed any such duty;—

shall be liable to a penalty not exceeding Twenty Pounds, with or without imprisonment for any period not exceeding Six months.

Offences con-
nected with
desertion.

(2.) Any person who—

- (f) Procures or persuades any man who has been enlisted to serve in any corps to desert; or
- (g) Attempts to procure or persuade any such man to desert; or
- (h) Knowing that any such man is about to desert, aids or assists him in deserting; or
- (i) Knowing any such man to be a deserter, conceals such man, or aids or assists him in concealing himself, or aids or assists in his rescue;—

Punishment.

shall be liable to be imprisoned for any period not exceeding Six months.

Contravening this
Act in any way.

84 Any person who wilfully contravenes any provision of this Act, or the Regulations, shall, when no other penalty is imposed for such contravention, be liable to a penalty not exceeding Five Pounds for each offence; but this Section shall not prevent his being prosecuted and punished for any greater offence if the facts amount to a greater offence.

Penalty for
making use of
uniform.

85 Any person who, not being at the time a member of the Defence Force, shall wear any uniform of any corps, shall be liable to a penalty not exceeding Ten Pounds for each offence.

*Defence.**Recovery of Penalties.*

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86 Any pecuniary penalty under this Act the mode of recovery of which is not otherwise expressly provided for by this Act, and any money or fine by this Act made recoverable as a penalty under this Act, is recoverable, may be recovered, and all offences against this Act or the Regulations shall, where no other mode or remedy is by this Act expressly provided, be heard and determined in a summary way by and before any Two or more Justices of the Peace, in the mode prescribed by *The Magistrates Summary Procedure Act*.

Penalties may be recovered summarily.

19 Vict. No. 8.

Where the sum adjudged to be paid on a summary conviction or adjudication, inclusive of any costs, exceeds Five Pounds, or the imprisonment awarded exceeds One month, and the person who is convicted or against whom the adjudication is made thinks himself aggrieved by the conviction or adjudication, he may appeal against the same in the mode prescribed by *The Appeals Regulation Act*.

19 Vict. No 10.
No *Certiorari*.

A summary conviction or adjudication under this Act, or an adjudication made on appeal therefrom, shall not be quashed for want of form, or be removed by *Certiorari*; and a warrant of commitment on any such conviction shall not be held void by reason of any defect therein, if it is alleged that the person named therein has been convicted, and there is a good conviction to sustain the same.

Any pecuniary penalty recovered summarily under this Act on the prosecution of an officer of the Defence Force shall, notwithstanding any Act to the contrary, be paid to the Commanding Officer, and be applied as part of the general fund of the Corps.

Penalties recovered by officers to go to funds of Corps.

An officer of the Defence Force preferring an information or complaint under this Act shall not be liable to pay any fees in respect thereof.

Any offence made by this Act punishable by fine or imprisonment which is also punishable under *The Army Act*, may be dealt with under this Act, but no offender shall be punished in both ways for the same offence.

Trial by Court Martial not excepted.

Prosecutions.

87 No prosecution against a commissioned officer of the Defence Force for an offence against this Act or the Regulations shall be brought except on the complaint of the Commandant; and no such prosecution against any man of the Force shall be brought except on the complaint of the Commanding Officer or Adjutant of the Corps to which such man belongs.

On whose complaint only prosecution shall be brought.

But the Commandant may authorise any commissioned officer of the Defence Force to make a complaint in his name, and the authority of any such officer alleging himself to have been so authorised to make a complaint shall not be controverted or called in question except by the Commandant.

No prosecution shall be commenced after the expiration of Six months from the commission of the offence charged, unless it be for unlawfully buying, selling, or having in possession, arms, accoutrements, or other articles delivered to the Force, or for desertion.

And within what time.

Notices, Orders, &c.

88 It shall not be necessary for any order or notice under this Act to be in writing, unless hereby required to be so, provided it be communicated to the person who is to obey or be bound by it, either directly by the officer or person making or giving it, or by some other person by his order.

Need not be in writing unless herein so required.

Defence.

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Notice of general orders in *Gazette*.

89 All general orders or other orders issued through or by the Commandant shall be sufficiently notified to all persons whom they may concern by publication in the *Gazette*; and a copy of the *Gazette* purporting to contain them shall be sufficient evidence of any such orders.

Notifying other orders.

90 Every order made by any Commanding Officer shall be sufficiently notified to all persons whom it may concern by publication in some newspaper published in the District in which such Corps is established, or, if there is no such newspaper, then by posting a copy thereof on the door of every place of public worship, or, if there is no such place, on the door of some other public place, in the District affected by such order.

Proof of warrant, &c.

91 The production of an appointment, warrant, or order in writing, purporting to be granted or made according to the provisions of this Act, shall be *prima facie* evidence of such appointment, warrant, or order, without proving the signature or seal thereto, or the authority of the person granting or making such appointment, warrant, or order.

Benefit and Friendly Societies.

Benefits and interests, &c. not forfeited by service in Defence Force.

92 Any person commissioned as an officer of the Defence Force, or enrolled as a member of such Force, or engaged as a member of the Permanent Force, shall not, by reason of such service or enrolment or engagement, or of any duty, liability, matter, or thing consequent thereupon, lose, forfeit, or be deprived of any right, claim, benefit, share, or interest to which he is entitled at the time of his entry on such service, or of such enrolment or engagement, or to which but for such service, enrolment, or engagement he would have been entitled; and notwithstanding anything in the rules of any friendly or benefit society, any person shall not lose any interest in the society by reason of his service or enrolment in any Active Corps established under this Act, or his engagement or service in the Permanent Force; and any dispute arising between such society and person by reason of such enrolment, engagement, or service shall be deemed a dispute directed by the rules of the society to be decided by Justices of the Peace, according to the Acts for the time being in force relative to friendly or benefit societies; and if such rules shall not so direct, then such dispute shall be decided by any Two Justices, and their determination shall be final and binding upon such society and such member.

Expenditure.

Payments to be made out of Consolidated Fund.

Accounts to be laid before Parliament.

93 All sums of money required to defray any expense authorised by this Act may be paid out of the Consolidated Revenue Fund; but no sum of money shall be so paid unless it be included in some appropriation made by Parliament; and a detailed account of moneys so expended shall be laid before Parliament during the next Session thereof.

General Power to make Regulations.

Power to make Regulations and impose fines.

94 The Governor may make such Regulations as he thinks fit relating to any matters or things which may be necessary to be prescribed or done for carrying this Act into effect, and for prescribing and defining the duties of members of the Defence Force, and may by any such Regulation impose a penalty not exceeding Twenty Pounds for a breach thereof.

Defence.

95—(1.) All Regulations made under the authority of this Act shall be published in the *Gazette*; and when so published they shall have the force of law as fully as if they were contained in this Act, of which they shall be deemed to form a part.

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Regulations to be published.

(2.) All Regulations made under this Act, and an annual report of the state of the Defence Force, shall be laid before Parliament by the Minister.

To be laid before Parliament with annual report.

Repeal.

96 The Acts of the Parliament of *Tasmania* set forth in the Schedule are hereby repealed from and after the commencement of this Act; but this repeal shall not affect the past operation of any Act hereby repealed, or anything already done, or any right, title, obligation, or liability already accrued thereunder, or any remedy or proceeding respecting the same.

Repeal.

SCHEDULE.

ACTS TO BE REPEALED.

<i>Date and Number of Act.</i>	<i>Title of Act.</i>
27 Vict. No. 30	<i>The Rifle Clubs Act, 1863.</i>
41 Vict. No. 25	"The Volunteer Act, 1877."
42 Vict. No. 12	"The Volunteer Act, 1878."
42 Vict. No. 13	"The Military Discipline Act, 1878."
47 Vict. No. 4	"The Military Discipline Act, 1883."

