CHAPTER 9.

An Act to provide, during Twelve Months, for the Discipline and Regulation of the Army and Air Force. [28th April 1921.]

WHEREAS the raising or keeping of a standing army within the United Kingdom of Great Britain and Ireland in time of peace, unless it be with the consent of Parliament, is against law:

And whereas it is adjudged necessary by His Majesty and this present Parliament that a body of land forces should be continued for the safety of the United Kingdom and the defence of the possessions of His Majesty's Crown, and that the whole number of such forces should consist of three hundred and forty-one thousand, including those to be employed at the depôts in the United Kingdom of Great Britain and Ireland for the training of recruits for service at home and abroad, but exclusive of the numbers actually serving within His Majesty's Indian possessions:

7 & 8 Geo. 5. c. 51.

And whereas under the Air Force (Constitution) Act, 1917, His Majesty is entitled to raise and maintain the air force, and it is judged necessary that the whole number of such force should consist of thirty thousand eight hundred and eighty, including those employed as aforesaid, but exclusive of the numbers serving as aforesaid, and the provisions of the Air Force Act are due to expire at the same dates as the provisions of the Army Act:

And whereas it is also judged necessary for the safety of the United Kingdom, and the defence of the possessions of this realm, that a body of Royal Marine forces should be employed in His Majesty's fleet and naval service, under the direction of the Lord High Admiral of the United Kingdom, or the Commissioners for executing the office of Lord High Admiral aforesaid:

And whereas the said marine forces may frequently be quartered or be on shore, or sent to do duty or be on

board transport ships or vessels, merchant ships or vessels, or other ships or vessels, or they may be under other circumstances in which they will not be subject to the laws relating to the government of His Majesty's forces by sea:

And whereas no man can be forejudged of life or limb, or subjected in time of peace to any kind of punishment within this realm, by martial law, or in any other manner than by the judgment of his peers and according to the known and established laws of this realm; yet, nevertheless, it being requisite, for the retaining all the before-mentioned forces, and other persons subject to military law or to the Air Force Act, in their duty, that an exact discipline be observed and that persons belonging to the said forces who mutiny or stir up sedition, or desert His Majesty's service, or are guilty of crimes and offences to the prejudice of good order and military or air force discipline, be brought to a more exemplary and speedy punishment than the usual forms of the law will allow:

And whereas the Army Act and the Air Force Act will expire in the year one thousand nine hundred and twenty-one on the following days:— 44 & 45 Vict. c. 58.

(*a*) in the United Kingdom, the Channel Islands, and the Isle of Man, on the thirtieth day of April; and

(*b*) elsewhere, whether within or without His Majesty's dominions, on the thirty-first day of July:

Be it therefore 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. This Act may be cited as the Army and Air Force (Annual) Act, 1921. Short title.

2.—(1) The Army Act and the Air Force Act shall be and remain in force during the periods hereinafter mentioned, and no longer, unless otherwise provided by Parliament (that is to say):— Army Act and Air Force Act to be in force for specified times.

(*a*) Within the United Kingdom, the Channel Islands, and the Isle of Man, from the thirtieth

day of April, one thousand nine hundred and twenty-one, to the thirtieth day of April, one thousand nine hundred and twenty-two, both inclusive; and

(*b*) Elsewhere, whether within or without His Majesty's dominions, from the thirty-first day of July, one thousand nine hundred and twenty-one, to the thirty-first day of July, one thousand nine hundred and twenty-two, both inclusive.

(2) The Army Act and the Air Force Act, while in force, shall apply to persons subject to military law or to the Air Force Act, as the case may be, whether within or without His Majesty's dominions.

(3) A person subject to military law or to the Air Force Act shall not be exempted from the provisions of the Army Act or Air Force Act by reason only that the number of the forces for the time being in the service of His Majesty, exclusive of the marine forces, is either greater or less than the numbers hereinbefore mentioned.

Prices in respect of billeting.

3. There shall be paid to the keeper of a victualling house for the accommodation provided by him in pursuance of the Army Act or the Air Force Act the prices specified in the Schedule to this Act.

AMENDMENTS OF ARMY AND AIR FORCE ACTS.

Part I.—Amendments of Army Act.

Amendment of s. 180.

4. The following paragraph shall be substituted for paragraph (*d*) of subsection (2) of section one hundred and eighty of the Army Act:—

"(*d*) An officer belonging to His Majesty's Indian Forces who thinks himself wronged by his Commanding Officer, and on due application made to him does not receive the redress to which he may consider himself entitled, may complain to the Governor-General of India, who shall cause his complaint to be enquired into, and if so desired by the officer, make a report through a Secretary of State to His Majesty in order to receive the directions of His Majesty thereon."

Part II.—Amendments of Army Act applicable also to the Air Force Act.

Amendment of s. 18.

5. In paragraph (4) of section eighteen of the Army Act after the words "regimental institution" there shall be inserted the words "or to the Navy, Army, and Air Force Institutes."

Amendment of ss. 19 and 46.

6.—(1) In section nineteen of the Army Act (which relates to drunkenness) "five pounds" shall be substituted for "one pound" and at the end of the section the following proviso shall be inserted:—

"Provided that, where the offence of drunkenness is committed by a soldier not on active service or on duty, the sentence imposed shall not exceed detention for a period of six months, with or without the addition of the aforesaid fine."

(2) In paragraph (*b*) of subsection (2) of section forty-six of the Army Act (which relates to the power of a commanding officer to deal with cases of drunkenness) "two pounds" shall be substituted for "ten shillings."

Amendment of s. 46.

7. Subsection (5) of section forty-six of the Army Act (which relates to the period of detention which may be awarded for absence without leave) shall cease to have effect and shall be omitted.

Amendment of s. 46A.

8.—(1) In subsection (1) of section forty-six A of the Army Act (which relates to the power to deal summarily with charges against officers), after the words "general court-martial" there shall be inserted the words "and any officer (not under the rank of major-general) "appointed for the purpose by the Army Council," and the words "or by the Army Council" shall be omitted.

(2) In subsection (2) of section forty-six A after the word "evidence" where that word occurs for the second time, there shall be inserted the words "or, if the accused "consents thereto in writing, after reading a summary or "abstract of the evidence."

Amendments of s. 145.

9.—(1) Section one hundred and forty-five of the Army Act (which relates to the liability of a soldier to

maintain his wife and children) shall be amended as follows:—

(*a*) in subsection (2) the words from "where the soldier is a warrant officer (Class I.)" to the end of the subsection inclusive shall be omitted, and the following words shall be inserted instead thereof:—

"Where the soldier is a warrant officer (Class I. or Class II.) not holding an honorary commission—in respect of a wife or children, four shillings, and in respect of a bastard child, three shillings;

"Where the soldier is a non-commissioned officer who is not below the rank of sergeant—in respect of a wife or children, three shillings, and in respect of a bastard child, two shillings;

"In the case of any other soldier—in respect of a wife or children, two shillings, and in respect of a bastard child, one shilling and sixpence."

(*b*) The following subsection shall be inserted after subsection (3):—

"(4) Where any arrears have accumulated in respect of sums adjudged to be paid by any such order or decree as aforesaid whilst the person against whom the order or decree was made was serving as a soldier of the regular forces, whether or not deductions in respect thereof have been made from his pay under this section, then after he has ceased so to serve an order of committal shall not be made in respect of those arrears unless the court is satisfied that he is able, or has since he ceased so to serve been able, to pay the arrears or any part thereof, and has failed to do so."

(2) Where an order had, before the coming into operation of this section, been made under section one hundred and forty-five of the Army Act authorising

deductions from pay, a further order may be made increasing the amount of the deduction to be made after the coming into operation of this section under the former order up to the limit authorised by this Act.

(3) This section shall, notwithstanding anything in section fourteen of the Army (Annual) Act, 1904, come into operation, both in the British Isles and elsewhere, on the passing of this Act. 4 Edw. 7. c. 5.

Amendment of Schedule II.

10. Part I. of the Second Schedule to the Army Act (which relates to the accommodation to be furnished by the keeper of a victualling house) shall be amended as follows:—

In paragraph (*a*) of section (2), "five ounces" shall be substituted for "six ounces";

In paragraph (*b*) of section (2), "twelve ounces" shall be substituted for "one pound," "six ounces of bread" shall be substituted for "eight ounces of bread," and "one pint of beer or mineral water of equal value" shall be omitted;

In paragraph (*c*) of section (2), "five ounces" shall be substituted for "six ounces."

Application to Air Force.

11. References in this Part of this Act to the Army Act shall be deemed to include references to the Air Force Act, and those provisions shall, in their application to the Air Force, have effect subject to any of the general modifications set out in Part I. of the Second Schedule to the Air Force (Constitution) Act, 1917, which apply, and also with the substitution of a reference to "air force officer of air rank" for the reference to "officer (not under the rank of major-general)," and of a reference to "section twenty-seven of the Army and Air Force (Annual) Act, 1920," for the reference to "section fourteen of the Army (Annual) Act, 1904." 10 Geo. 5. c. 7. 4 Edw. 7. c. 5.

Section 3.

SCHEDULE.

Accommodation to be provided.	Maximum Price.
Lodging and attendance for soldier where meals furnished.	Tenpence per night for the first soldier and eightpence per night for each additional soldier.
Breakfast as specified in Part I. of the Second Schedule to the Army and Air Force Acts.	Ninepence each.
Dinner as so specified - - - - -	One shilling.
Supper as so specified - - - - -	Fivepence.
Where no meals furnished, lodging and attendance, and candles, vinegar, salt, and the use of fire, and the necessary utensils for dressing and eating his meat.	Tenpence per night for the first soldier and eightpence per night for each additional soldier.
Stable room and ten pounds of oats, twelve pounds of hay, and eight pounds of straw per day for each horse.	Two shillings and sixpence per day.
Stable room without forage - - -	Sixpence per day.
Lodging and attendance for officer - -	Three shillings per night.

Note.—An officer shall pay for his food.

CHAPTER 10.

An Act to settle and secure an Annuity upon the Right honourable James William Lowther in consideration of his eminent Services.

[12th May 1921.]

Most Gracious Sovereign,

WHEREAS the Commons of the United Kingdom of Great Britain and Ireland did, by an humble address to Your Majesty, pray Your Majesty that You would be graciously pleased to confer some signal mark of Your Royal Favour upon the Right honourable James William Lowther, Speaker of the House of Commons, for his eminent services during the important period in which he had with such distinguished ability and dignity presided in the Chair of the House, and did assure Your Majesty that whatever expense Your Majesty should