5TH SCH. —*cont.*

| Provision to be amended. | Amendments. |
|---|---|
| Section ninety-five —*cont.* | of any period during which he is under this section deemed to be an employed person in the service of the Crown, be treated as if he had been so employed in agriculture during that period." |
| First Schedule | In paragraph 2 of Part II thereof, after the word "employed" (where that word occurs for the second time), there shall be inserted the words "in horticulture or". |

## CHAPTER 14.

An Act to provide, during Twelve Months, for the Discipline and Regulation of the Army and the Air Force. [30th April 1936.]

WHEREAS the raising or keeping of a standing army within the United Kingdom 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 one hundred and fifty-eight thousand four hundred, including those to be employed at the depots in the United Kingdom for the training of recruits for service at home and abroad, but exclusive of the numbers actually serving within His Majesty's Indian possessions, other than Aden:

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 fifty thousand, including those employed as aforesaid, but exclusive of the numbers serving as aforesaid: 7 & 8 Geo. 5. c. 51.

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 be 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 thirty-six on the following days:—

(*a*) In Great Britain and Northern Ireland, 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:—

Short title.

**1.** This Act may be cited as the Army and Air Force (Annual) Act, 1936.

Army Act and Air Force Act to be in force for specified times.

**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:—

(*a*) Within Great Britain and Northern Ireland, the Channel Islands, and the Isle of Man, from the thirtieth day of April, one thousand nine hundred and thirty-six, to the thirtieth day of April, one thousand nine hundred and thirty-seven, 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 thirty-six, to the thirty-first day of July, one thousand nine hundred and thirty-seven, 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 THE ARMY AND AIR FORCE ACTS.

### PART I.

### AMENDMENTS OF THE ARMY ACT APPLICABLE ALSO (SUBJECT TO MODIFICATIONS) TO THE AIR FORCE ACT.

Amendment of Army Act, s. 57 (2).

**4.** In subsection (2) of section fifty-seven of the Army Act (which relates to the authorities empowered to commute and remit sentences of courts-martial) after the words "any prescribed officer" there shall be inserted the words "or, except in the United Kingdom, the officer, "not below the rank of field officer or corresponding rank, "commanding the body of the forces to which the

" offender belongs or the command within which they " are serving, whether such officer is an officer of the " navy, army or air force."

Amendment of Army Act, s. 146.

**5.** In section one hundred and forty-six of the Army Act (which provides that officers on the active list shall not be sheriffs or mayors) the words from " or to be mayor " to the end of the section shall be omitted.

Application of Part I to Air Force Act.

**6.** References in the foregoing sections of this Part of this Act to the Army Act shall be deemed to include references to the Air Force Act, and the provisions of the said sections shall in their application to the Air Force Act 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 to the following special modification, namely, that for the expression " field officer " where that expression occurs in section four of this Act there shall be substituted the expression " squadron leader."

## PART II.

## AMENDMENTS OF THE AIR FORCE ACT.

Amendments of Air Force Act, ss. 108A, 115.

**7.** In subsection (1) of section one hundred and eight A and in subsection (1) of section one hundred and fifteen (which relate to billeting in cases of emergency and to the supply of vehicles, horses and aircraft in cases of emergency), for the words " commanding any part of His Majesty's air force in any district or place " and the words " commanding the regular air force in any district or place " there shall be substituted respectively the words " commanding any portion of His Majesty's air forces " and the words " holding any appointment designated " for the purposes of this section by the Air Council or " commanding any portion of the regular air force."

Amendment of Air Force Act, s. 175.

**8.** In section one hundred and seventy-five of the Air Force Act (which relates to persons subject to that Act as officers), after paragraph (8) there shall be inserted the following new paragraph :—

" (9) Any retired officer, within the meaning of the King's Regulations and Air Council Instructions for the Royal Air Force, when ordered on any air force duty or service for which as such an officer he is liable."

# SCHEDULE.

## PRICES IN RESPECT OF BILLETING.

Section 3.

| Accommodation to be provided. | Maximum price. |
|---|---|
| Lodging and attendance for a soldier where meals furnished. | Tenpence a night for the first soldier and eightpence a night for each additional soldier. |
| Breakfast as specified in Part I of the Second Schedule to the Army Act. | Sevenpence each. |
| Dinner as so specified - - - - | Tenpence. |
| Supper as so specified - - - - | Fourpence. |
| 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 a night for the first soldier and eightpence a night for each additional soldier. |
| Stable room and ten pounds of oats, twelve pounds of hay, and eight pounds of straw a day for each horse. | Two shillings and threepence a day. |
| Stable room without forage - - - | Sixpence a day. |
| Lodging and attendance for an officer - | Three shillings night. |

*Note.*—An officer shall pay for his food.

In the application of this Schedule to the Air Force, references to the Air Force Act and to an airman shall be substituted for references to the Army Act and to a soldier.