CHAPTER 5.

An Act to provide, during Twelve Months, for the Discipline and Regulation of the Army.

[28th April 1904.]

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 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 two hundred and twenty-seven 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:

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, 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 discipline, be brought to a more exemplary and speedy punishment than the usual forms of the law will allow:

44 & 45 Vict c. 58.

And whereas the Army Act will expire in the year one thousand nine hundred and four on the following days:

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

(*b*) Elsewhere in Europe, inclusive of Malta, also in the West Indies and America, on the thirty-first day of July and

(*c*) Elsewhere, whether within or without His Majesty's dominions, on the thirty-first day of December:

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 (Annual) Act, 1904. Short title.

2.—(1) The Army 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 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 four to the thirtieth day of April one thousand nine hundred and five, both inclusive; and

(*b*) Elsewhere in Europe, inclusive of Malta, also in the West Indies and America, from the thirty-first day of July one thousand nine hundred and four to the thirty-first day of July one thousand nine hundred and five, both inclusive; and

(*c*) Elsewhere, whether within or without His Majesty's dominions, from the thirty-first day of December one thousand nine hundred and four to the thirty-first day of December one thousand nine hundred and five, both inclusive.

(2) The Army Act, while in force, shall apply to persons subject to military law, whether within or without His Majesty's dominions.

(3) A person subject to military law shall not be exempted from the provisions of the Army 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 number hereinbefore mentioned.

3. There shall be paid to the keeper of a victualling house, for the accommodation provided by him in pursuance of the Army Act, the prices specified in the Schedule to this Act. Prices in respect of billeting.

Amendments of Army Act.

4. In subsection (8) of section forty-six of the Army Act, as amended by the Army (Annual) Act, 1893, after the words "he shall" shall be added the words "in every case where "the award or finding involves a forfeiture of pay, and in every "other case." Amendment of Army Act as to appeals from commanding officers.

5. In paragraph (7) of section eighty-three of the Army Act (which relates to the commutation of punishment to general service), the words "three months" shall be substituted for the words "six months." As to commutation of punishments.

6.—(1) In subsection (2) of section ninety-five of the Army Act (which relates to the enlistment of aliens, &c.) after the words "provisions of this section" shall be added the words "any "inhabitant of any British protectorate and" As to enlistment of aliens, &c.

(2) In subsection (23) of section one hundred and ninety of the Army Act (which defines the expression "colony,") after the word "Cyprus" shall be added the words "and any British protectorate."

As to stoppages from pay of officers.

7. At the end of section one hundred and thirty-seven of the Army Act the following paragraph shall be inserted—

"(4) The sum required to make good any loss, damage, or destruction of public property which, after due investigation, appears to the Secretary of State to have been occasioned by any wrongful act or negligence on the part of the officer."

As to compulsory stoppage of pay for maintenance orders.

8. In subsection (2) of section one hundred and forty-five of the Army Act (which relates to the maintenance of the wife, child, or bastard child of a soldier), the words "in respect of a wife or "children one shilling and in respect of a bastard child sixpence" shall be substituted for the word "sixpence," the words "in "respect of a wife or children sixpence and in respect of a bastard "child threepence" shall be substituted for the word "threepence," the words "in the first case" shall be repealed, the word "or" shall be substituted for the words "and in the second case," and the words "as the case may be" shall be inserted after the words "such wife or children."

Extension of s. 156 (9) to bounties. 54 & 55 Vict. c. 5.

9. In subsection (9) of section one hundred and fifty-six of the Army Act, as amended by the Army (Annual) Act, 1891 (which relates to unlawful possession of identity and life certificates), after the words "to reserve pay" shall be added the words "or to any "bounty," and after the words "to the pay" shall be added the words "or bounty."

Amendment of Army Act as to persons subject to military law as officers.

10. At the end of section one hundred and seventy-five of the Army Act (which relates to persons subject to military law as officers) the following paragraph shall be added:—

"(10) Any reserve officer, within the meaning of the Royal Warrant regulating the composition of the reserve of officers, when he is ordered on any duty or service for which, as such reserve officer, he is liable."

As to marines.

11. At the end of paragraph (21) of section one hundred and seventy-nine of the Army Act (which relates to the modification of the Act with respect to the Royal Marines) shall be added the words "and also a marine raised or enrolled under the Naval "Reserve Act, 1900, or the Naval Forces Act, 1903, when called "into actual service and when being trained or exercised."

63 & 64 Vict. c. 52. 3 Edw. 7. c. 6.

As to sentences on warrant officers.

12. In paragraph (2) of section one hundred and eighty-two of the Army Act which relates to sentences on warrant officers:—

(*a*) the words "or to be suspended from rank and pay and "allowances for any period stated by the court martial" shall be repealed; and

(*b*) the words "if he was originally enlisted as a soldier, but not otherwise," shall be repealed, and the same words shall be inserted after the words "lower grade, or" in the same subsection.

13. At the end of Part I. of the Second Schedule to the Army Act, the following paragraph shall be added:— Amendment of Second Schedule, as to billeting.

For the purposes of this Part of this Schedule the expression "furnish with lodging" shall include the provision of a separate bed for each officer and soldier.

14. Amendments of the Army Act, contained in this or any other Act continuing the Army Act, shall come into operation in any place as from the day from which the Army Act is, by this or such other Act, continued in that place. Date on which amendments to Army Act are to come into operation.

SCHEDULE.

Section 3.

Accommodation to be provided.	Maximum Price.
Lodging and attendance for soldier where hot meal furnished.	Fourpence per night.
Hot meal as specified in Part I. of the Second Schedule to the Army Act.	One shilling and threepence halfpenny each.
Breakfast as so specified - - - -	One penny halfpenny each.
Where no hot meal furnished, lodging and attendance, and candles, vinegar, salt and the use of fire and the necessary utensils for dressing and eating his meat.	Fourpence per day.
Ten pounds of oats, twelve pounds of hay and eight pounds of straw per day for each horse.	One shilling and ninepence per day.
Lodging and attendance for officer - - -	Two shillings per night.

Note.—An officer shall pay for his food.

CHAPTER 6.

An Act to amend the Law with respect to the Hall-marking of Foreign Plate. [22nd July 1904.]

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

1.—(1) Where, for the purpose of complying with sections fifty-nine and sixty of the Customs Act, 1842, or section ten of the Revenue Act, 1883, any plate has to be assayed, stamped and marked, or where, for any other purpose, any plate or article imported from a foreign part is brought to an assay office in the Marks to be placed on foreign plate. 5 & 6 Vict. c. 47. 46 & 47 Vict. c. 55.