

ANNO VICESIMO OCTAVO

VICTORIÆ REGINÆ.

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CAP. XIV.

An Act to make better Provision for the Naval Defence of the Colonies. [7th *April* 1865.]

WHEREAS it is expedient to enable the several Colonial Possessions of Her Majesty the Queen to make better Provision for Naval Defence, and to that end to provide and man Vessels of War, and also to raise a Volunteer Force to form Part of the Royal Naval Reserve established under the Act of Parliament of 1859 "for the Establishment of a Reserve "Volunteer Force of Seamen, and for the Government of the "same," (hereafter in this Act called the Act of 1859,) and accordingly to be available for general Service in the Royal Navy in Emergency: 22 & 23 Vict. c. 40.

Be it therefore enacted by the Queen'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 Colonial Naval Defence Act, 1865. Short Title.

2. In

Interpretation.

2. In this Act—

The Term "Colony" includes any Plantation, Island, or other Possession within Her Majesty's Dominions, exclusive of the United Kingdom of *Great Britain* and *Ireland*, and of the Islands being immediate Dependencies thereof, and exclusive of *India* as defined by the Act of Parliament of 1858 "for "the better Government of *India*:"

The Term "the Admiralty" means the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral.

Power for Colonies to provide Vessels and raise Men and commission Officers, &c.

3. In any Colony it shall be lawful for the proper Legislative Authority, with the Approval of Her Majesty in Council, from Time to Time to make Provision for effecting at the Expense of the Colony all or any of the Purposes following:

(1.) For providing, maintaining, and using a Vessel or Vessels of War, subject to such Conditions and for such Purposes as Her Majesty in Council from Time to Time approves:

(2.) For raising and maintaining Seamen and others entered on the Terms of being bound to serve as ordered in any such Vessel:

(3.) For raising and maintaining a Body of Volunteers entered on the Terms of being bound to general Service in the Royal Navy in Emergency, and, if in any Case the proper Legislative Authority so directs, on the further Terms of being bound to serve as ordered in any such Vessel as aforesaid:

(4.) For appointing Commissioned, Warrant, and other Officers to train and command or serve as Officers with any such Men ashore or afloat, on such Terms and subject to such Regulations as Her Majesty in Council from Time to Time approves:

(5.) For obtaining from the Admiralty the Services of Commissioned, Warrant, and other Officers and of Men of the Royal Navy for the last-mentioned Purposes:

(6.) For enforcing good Order and Discipline among the Men and Officers aforesaid while ashore or afloat within the Limits of the Colony:

(7.) For making the Men and Officers aforesaid, while ashore or afloat within the Limits of the Colony or elsewhere, subject to all Enactments and Regulations for the Time being in force for the Discipline of the Royal Navy.

Volunteers to form Part of Royal Naval Reserve.

4. Volunteers raised as aforesaid in any Colony shall form Part of the Royal Naval Reserve, in addition to the Volunteers who may be raised under the Act of 1859, but, except as in this Act expressly provided,

provided, shall be subject exclusively to the Provisions made as aforesaid by the proper Legislative Authority of the Colony.

Power to Admiralty to issue Special Commissions.

5. It shall be lawful for Her Majesty in Council from Time to Time as Occasion requires, and on such Conditions as seem fit, to authorize the Admiralty to issue to any Officer of the Royal Navy volunteering for the Purpose a Special Commission for Service in accordance with the Provisions of this Act.

Placing of Colonial Vessel with Men and Officers at Her Majesty's Disposal.

6. It shall be lawful for Her Majesty in Council from Time to Time as Occasion requires, and on such Conditions as seem fit, to authorize the Admiralty to accept any Offer for the Time being made or to be made by the Government of a Colony, to place at Her Majesty's Disposal any Vessel of War provided by that Government and the Men and Officers from Time to Time serving therein; and while any Vessel accepted by the Admiralty under such Authority is at the Disposal of Her Majesty, such Vessel shall be deemed to all Intents a Vessel of War of the Royal Navy, and the Men and Officers from Time to Time serving in such Vessel shall be deemed to all Intents Men and Officers of the Royal Navy, and shall accordingly be subject to all Enactments and Regulations for the Time being in force for the Discipline of the Royal Navy.

As to Services of Volunteers and Officers in Navy.

7. It shall be lawful for Her Majesty in Council from Time to Time as Occasion requires, and on such Conditions as seem fit, to authorize the Admiralty to accept any Offer for the Time being made or to be made by the Government of a Colony, to place at Her Majesty's Disposal for general Service in the Royal Navy the whole or any Part of the Body of Volunteers with all or any of the Officers raised and appointed by that Government in accordance with the Provisions of this Act; and when any such Offer is accepted such of the Provisions of the Act of 1859 as relate to Men of the Royal Naval Reserve raised in the United Kingdom when in actual Service shall extend and apply to the Volunteers whose Services are so accepted.

Delegation of Admiralty Powers to Naval Officer.

8. The Admiralty may, if they think fit, from Time to Time by Warrant authorize any Officer of Her Majesty's Navy of the Rank of Captain or of a higher Rank to exercise, in the Name and on behalf of the Admiralty, in relation to any Colony, for such Time and subject to such Limitations, if any, as the Admiralty think fit, any Power exerciseable by the Admiralty under this Act.

Not to impose Charge on Imperial Revenues, &c.

9. Nothing done under this Act by Order in Council, or by the Admiralty, or otherwise, shall impose any Charge on the Revenues of the United Kingdom without express Provision made by Parliament for meeting the same.

10. Nothing

Not to affect Powers vested in Colonies.

10. Nothing in this Act shall take away or abridge any Power vested in or exerciseable by the Legislature or Government of any Colony.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1865.