SUPPLIED FOR THE PUBLIC SERVICE



CHAPTER 30.

An Act to provide for the imposition upon British subjects in foreign countries of obligations with respect to service in His Majesty's forces of the like character as are imposed upon British subjects in Great Britain.

[6th August 1942.]

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 :—

Power to impose military service on British subjects in foreign countries.

1.—(1) His Majesty may by Order in Council impose upon any class or description of British subjects who are in any foreign country obligations with respect to service in His Majesty's forces of the like character as are, by the National Service Acts, 1939 to 1941, imposed upon British subjects who are in Great Britain :

Provided that no such Order in Council shall apply to any person who, under the provisions of any Act in force in any Dominion, is a national or citizen of that Dominion within the meaning of that Act, or who is a person belonging to any Dominion or to India, Burma, Newfoundland, or Southern Rhodesia.

(2) An Order in Council made under this section with respect to British subjects who are in any foreign country shall make provision for the manner in which any obligation thereby imposed, or any privilege or right exercisable in relation to any such obligation, is to be performed or exercised, and may, in particular, provide—

(*a*) for the registration and medical examination of persons liable to be called up for service under the Order ;

(*b*) for the consideration of objections and applications made by such persons in relation to their obligations under the Order;

(*c*) for the enlistment or enrolment of such persons in any of His Majesty's forces which may for the time being be present in that country.

Provisions as to Orders in Council.

2.—(1) Every Order in Council made under this Act shall be laid before Parliament as soon as may be after it is made, and if either House of Parliament within the period of forty days beginning with the day on which such an Order in Council is laid before it presents an address to His Majesty praying that the Order may be annulled, His Majesty may revoke the Order but without prejudice to the validity of anything previously done thereunder or to the making of a new Order.

In reckoning any such period of forty days as aforesaid, no account shall be taken of any time during which Parliament is dissolved or prorogued, or during which both Houses are adjourned for more than four days.

56 & 57 Vict. c. 66.

(2) Section one of the Rules Publication Act, 1893, shall not apply to any Order in Council made under this Act.

(3) The power to make Orders in Council conferred by this Act shall be construed as including power to vary or revoke such Orders.

Interpretation and short title.

3.—(1) In this Act the following expressions have the meanings hereby respectively assigned to them, that is to say:—

"Foreign country" does not include any British protectorate or any territory in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty, or any other country or territory being a country or territory under His Majesty's protection or suzerainty;

22 & 23 Geo. 5. c. 4.

"Dominion" means any Dominion within the meaning of the Statute of Westminster, 1931, except Newfoundland, and includes any territory administered by His Majesty's Government in such a Dominion;

"His Majesty's forces" includes the Women's Royal Naval Service, the Auxiliary Territorial Service and the Women's Auxiliary Air Force.

(2) This Act may be cited as the National Service (Foreign Countries) Act, 1942.

Printed by NORMAN GIBB SCORGIE, C.V.O., C.B.E.,
Controller of His Majesty's Stationery Office
and
King's Printer of Acts of Parliament

To be purchased directly from H.M. STATIONERY OFFICE at the following addresses:
York House, Kingsway, London, W.C.2; 120 George Street, Edinburgh 2;
39-41 King Street, Manchester 2; 1 St. Andrew's Crescent, Cardiff;
80 Chichester Street, Belfast;
or through any bookseller

(P. 806) Price 1*d*. net.