Section ten - - For the proviso to subsection (2) there shall be substituted the following proviso :—

"Provided that, the term of office of any alderman, councillor or elective auditor in office at the date of the expiry of this Act by virtue of the provisions of this Act or of anything done thereunder shall, unless Parliament otherwise determines, continue for six months after that date as if this Act had not expired".

CHAPTER 4.

An Act to provide for the release and recall of men serving in the royal navy or the royal marine forces. [19th December 1940.]

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 release from service in the navy or marine forces.

1.—(1) At any time during the war period any seaman or marine serving in the royal navy or the royal marine forces may, on the order of the competent naval authority, be released from his service, and, so long as the order remains in force, he shall be in the position in which he would be if he had, at the time of the making of the order, been duly transferred to the royal naval reserve, and no order calling the royal naval reserve into actual service were in force.

(2) Any order made under this section with respect to any person may be revoked by the competent naval authority, and, on revoking such an order, the said authority may, if the term of service of that person has not expired, give directions requiring him to re-enter into actual service for the remainder of that term in the royal navy or the royal marine forces, as the case may be, and to attend at the place and time fixed by those directions.

(3) For the purposes of section twenty-one of the Royal Naval Reserve (Volunteer) Act, 1859, (which provides for the punishment of a person failing to attend on being called into actual service under that Act) any

22 & 23 Vict. c. 40.

directions given with respect to any person under the last foregoing subsection shall have effect as if they were an order made by the Admiralty under that Act calling him into actual service.

16 & 17 Vict. c. 69. 2 & 3 Geo. 6. c. 88.

(4) Any proclamation under section nine of the Naval Enlistment Act, 1853, section five of the Royal Naval Reserve (Volunteer) Act, 1859, or section one of the Royal Marines Act, 1939, extending the term of service of persons serving in the royal navy or the royal marine forces shall apply to any person released from service by an order made under this section in like manner as if no such order had been made: and accordingly the references in subsection (2) of this section to the term of service of any such person shall be construed as references to his term of service as extended by any such proclamation.

Short title, interpretation and commencement.

2.—(1) This Act may be cited as the Naval and Marine Forces (Temporary Release from Service) Act, 1940.

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

28 & 29 Vict. c. 73.

"seaman or marine" has the same meaning as in the Naval and Marine Pay and Pensions Act, 1865;

"the competent naval authority" means the Admiralty or an officer designated by the Admiralty;

"the war period" means the period beginning with the first day of September nineteen hundred and thirty-nine and ending with such date as His Majesty may by Order in Council declare to be the date on which the emergency that was the occasion of the passing of this Act came to an end.

(3) This Act shall be deemed to have been in force as from the first day of September nineteen hundred and thirty-nine, and any order made before the passing of this Act releasing any seaman or marine from service in the royal navy or the royal marine forces shall be deemed to have been made under this Act.