CHAP. 89.

An Act to enable the Governors of Queen Anne's Bounty to provide Superannuation Allowances for their Officers. [9th August 1870.]

WHEREAS it is expedient that due regulations should be made with regard to the granting of superannuation allowances to the officers and clerks employed by the Governors of the Bounty of Queen Anne:

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:

Power to governors out of their general fund to grant retired allowances.

1. Subject to the exceptions and provisions herein-after contained, the said governors may pay out of their general fund allowances on retirement from the office to officers and clerks who shall have served in an established capacity in the permanent service of the governors, not exceeding the following; viz.

To any officer or clerk who shall have served for ten years and upwards and under eleven years, an annual allowance of ten sixtieths of the annual salary and emoluments of his office:

For eleven years and under twelve years an annual allowance of eleven sixtieths of such salary and emoluments, and in like manner an additional annual allowance of one sixtieth in respect of each additional year of such service until the completion of a period of service of forty years, when the annual allowance of forty sixtieths may be granted, and no addition shall be made in respect of any service beyond forty years.

Power to grant gratuities in certain cases where officers or clerks not entitled by length of service to superannuation.

2. The said governors may grant to any officer or clerk in their service who, being the holder of an office in respect of which a superannuation allowance may be granted, but not having completed the period which would have entitled him to a superannuation allowance, is constrained from infirmity of mind or body to leave the service of the governors before the completion of the period which would entitle him to a superannuation allowance, such sum of money by way of gratuity as the said governors shall think proper, but so that no gratuity shall exceed the amount of one month's pay for each year's service.

No superannuation to be granted unless approved by Treasury.

3. No superannuation allowance or gratuity under this Act shall be granted to any officer or clerk until the application, with the certificate and the award of the said governors, shall have been submitted to and approved of by the Commissioners of Her Majesty's Treasury: Provided also, that if any question shall arise as to the claim of any officer or clerk for superannuation under this Act it shall be referred to the Commissioners of the Treasury, whose decision shall be final.

Restrictions as to grant of full superannuation allowance.

4. It shall not be lawful to grant or sanction the full amount of superannuation allowance which can be granted under this Act to any officer or clerk unless upon production of a certificate from the governors that such officer or clerk has served with diligence and fidelity to the satisfaction of the said governors; provided that the said governors may grant to any officer or clerk any such allowance of less amount than otherwise would have been awarded to him where his defaults or demerit may appear to them and the Commissioners of the Treasury to justify such diminution.

Superannuation not allowed to officers or clerks under 60, except upon medical certificate.

5. It shall not be lawful to grant any superannuation allowance under the provisions of this Act to any officer or clerk who shall be under sixty years of age, unless upon a medical certificate to the satisfaction of the said governors and the Commissioners of the Treasury that he is incapable from infirmity of mind or body to discharge the duties of his situation, and that such infirmity is likely to be permanent.

Superannuation not to be granted on advanced amount of

6. Provided always, and be it further enacted, that the superannuation allowance to be granted to any officer or clerk after the passing of this Act shall not be computed upon the amount of the salary enjoyed by him at the time of his retirement, unless he shall have been in the receipt of the same, or in the class from which he retires, for a period

salary received for less than three years.

of at least three years immediately before the granting of such superannuation allowance; and in case he shall not have enjoyed his then existing salary or have been in such class for that period, such superannuation allowance shall be calculated upon the average amount of salary received by such officer or clerk for three years next preceding the commencement of such allowance.

Superannuations to be inserted in annual return.

7. A return of all superannuation allowances and gratuities made during the year under this Act, setting forth in each case the length of service, the salary, and the allowance or gratuity awarded, together with the special grounds, if any, on which such allowances have been awarded, shall be inserted by the governors each year in their annual return to Her Majesty in Council, and laid before both Houses of Parliament.

Act not to confer right to superannuation or employment.

8. This Act shall be held only to authorise and enable the governors from time to time, if they think fit, to grant allowances and gratuities of such amount as is authorised by this Act; and nothing in this Act shall be held to confer on any officer or clerk any right to superannuation, or any greater right to permanent employment, than he would have enjoyed if this Act had not passed.

Officers appointed under this Act to be subject to regulations hereafter made by Parliament.

9. Every person who shall be appointed after the passing of this Act to any office or employment under the governors shall hold the same subject to all regulations and alterations affecting the same which may hereafter be made by authority of Parliament; nor shall any person by his appointment to any such office acquire any claim or title to compensation in case the same be hereafter altered or abolished by Act of Parliament.

CHAP. 90.

An Act to regulate the conduct of Her Majesty's Subjects during the existence of hostilities between foreign states with which Her Majesty is at peace.

[9th August 1870.]

WHEREAS it is expedient to make provision for the regulation of the conduct of Her Majesty's subjects during the existence of hostilities between foreign states with which Her Majesty is at peace:

Be it 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:

Preliminary.

Short title of Act.

1. This Act may be cited for all purposes as "The Foreign Enlistment Act, 1870."

Application of Act.

2. This Act shall extend to all the dominions of Her Majesty, including the adjacent territorial waters.

Commencement of Act.

3. This Act shall come into operation in the United Kingdom immediately on the passing thereof, and shall be proclaimed in every British possession by the governor thereof as soon as may be after he receives notice of this Act, and shall come into operation in that British possession on the day of such proclamation, and the time at which this Act comes into operation in any place is, as respects such place, in this Act referred to as the commencement of this Act.

Illegal Enlistment.

Penalty on enlistment in service of foreign state.

4. If any person, without the license of Her Majesty, being a British subject, within or without Her Majesty's dominions, accepts or agrees to accept any commission or engagement in the military or naval service of any foreign state at war with any