

New South Wales.



ANNO QUADRAGESIMO OCTAVO

VICTORIÆ REGINÆ.

No. XXVIII.

An Act to provide for the government discipline payment and maintenance of the Australian Contingent engaged and despatched for service with Her Majesty's Regular Forces in Egypt and for the indemnification of all persons employed or concerned in the engagement and despatch of such Contingent and for the validation of all acts done and payments made in connection therewith in anticipation of the sanction of Parliament. [27th March, 1885.]

AUSTRALIAN
MILITARY
CONTINGENT.

WHEREAS by the "Army Act 1881" (being the Act of the Preamble. Imperial Legislature passed in the Session of the forty-fourth and forty-fifth year of the reign of Her Most Gracious Majesty) it is enacted that where any force of Volunteers or of Militia or any other force is raised in India or in a Colony any law of India or the Colony may extend to the officers non-commissioned officers and men belonging to such force whether within or without the limits of India or the Colony—and where any such force is serving with part of Her Majesty's regular forces—then so far as the law of India or the Colony has not provided for the government and discipline of such force the said cited Act and any other Act for the time being amending the same shall subject to such exceptions and modifications as may be specified in the general orders of the General Officer commanding Her Majesty's

Australian Military Contingent.

Majesty's forces with which such force is serving apply to the officers non-commissioned officers and men of such force in like manner as they apply to the officers non-commissioned officers and men respectively mentioned in the one hundred and seventy-fifth and one hundred and seventy-sixth sections of the said Act as officers and soldiers subject to military law And whereas on the twelfth day of February in this present year an offer was made by the Government of this Colony to Her Majesty's Imperial Government to supply from and on behalf of the said Colony a Military Contingent in aid of Her Majesty's forces then engaged in service in Egypt to consist of Five hundred Infantry and Two Batteries of Artillery fully equipped and to be despatched to Egypt and maintained while employed in Her Majesty's Service at the sole cost of the said Colony And whereas the said offer was afterwards on the fourteenth day of February in the said year accepted by Her Majesty's Government subject to a certain reduction in the Artillery Force And whereas on the third day of March in the said year the said Contingent to the number of five hundred and seventy Infantry and two hundred and one Artillery were together with horses and all necessary equipments and stores despatched from the Colony in fulfilment of the offer so accepted And whereas it is expedient that effective provision should be made for the government and discipline of the said Contingent while absent from the Colony and employed on Her Majesty's Service—and it has been considered desirable for such purpose that no doubts should exist as to the applicability of the one hundred and seventy-seventh section of the said "Army Act 1881" to the officers non-commissioned officers and men of the said Contingent And whereas it is expedient that Parliamentary provision for the maintenance of the said Infantry and Artillery Forces during the term of their engagement should be made as soon as practicable after their departure from the Colony and that all persons employed or concerned in the engagement or equipment of such forces should be indemnified and held harmless in respect of anything done by them in connexion with such engagement or equipment and further that all Proclamations Regulations Delegations Warrants and other Instruments made or issued or purporting to be made or issued under the authority of the "Military and Naval Forces Regulation Act" (being the Act thirty-four Victoria number nineteen) and all engagements and oaths made or purporting to be made tendered or taken under the said last-mentioned Act for the purpose in any of the aforesaid cases of or in any way in connection with the raising of the said Contingent or its service out of the Colony and that all payments made and contracts entered into by or on behalf of the Government but without the sanction of Parliament for the engagement victualling transport or equipment of such Contingent should be declared valid and effectual in law Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same:—

Short title.

1. This Act may be cited as the "Australian Military Contingent Act"—and in its construction the term "Contingent" means and includes the officers non-commissioned officers and men of the Infantry and Artillery Forces raised and despatched by the Government of New South Wales for service with Her Majesty's Regular Forces in Egypt pursuant to the offer and acceptance of troops hereinbefore recited—as well as any officers non-commissioned officers and men who may hereafter be engaged to maintain the Forces so serving up to the original strength of each arm thereof or to such increased or reduced strength as Parliament may at any time determine and appoint.

Australian Military Contingent.

2. The Contingent is hereby declared to be a Force lawfully engaged for the purposes and within the meaning of the "Military and Naval Forces Regulation Act" notwithstanding that the intended place of service of such Contingent was and may be outside the Colony or that the intended service was or may be a service with Her Majesty's Regular Forces in Egypt. And the said Contingent is further declared to be a Force raised in a Colony for the purposes and within the meaning of the one hundred and seventy-seventh section of the Act of the Imperial Legislature forty-fourth and forty-fifth Victoria chapter fifty-eight. But nothing in this section contained shall prejudice or affect the power of the Governor to make rules and regulations under or to exercise any other power conferred by the said "Military and Naval Forces Regulation Act"—or shall prejudice or affect the rates or scale of pay and allowances appointed or to be appointed for the Contingent—or the period terms or conditions of service for or under which the officers non-commissioned officers and men of such Contingent have been or may hereafter be engaged.

The Contingent declared to be a Force for the purposes of 34 Vic. No. 19 and 44 and 45 Vic. chapter 58 section 177.

3. The sum of one hundred and fifty thousand pounds is hereby appropriated from the Consolidated Revenue of the Colony for the transport payment maintenance and equipment of the Contingent for the year one thousand eight hundred and eighty-five. The Governor with the advice of the Executive Council may make regulations for giving effect to the provisions of this section which regulations shall be laid before Parliament if in session within fourteen days after publication thereof in the *Gazette* and if not in session then within fourteen days from the commencement of the then next session.

Appropriation of £150,000 for purposes of the Contingent.

4. All persons who have been employed or concerned in engaging any of the officers non-commissioned officers and men despatched on the third day of March in this present year for service with Her Majesty's Regular Forces in Egypt or who have authorised or directed any other persons to employ or engage any such officers non-commissioned officers or men or who have made or authorised any payments from the Consolidated Revenue Fund to be made or who have entered into any contract for the purchase of stores victuals horses forage or equipments of any description whatsoever for the use of the contingent or for the transport thereof or for any purpose in connection therewith are hereby declared to be indemnified and held harmless in the event of any legal or other proceedings being instituted against such persons in respect of anything done by them in or about any such payment employment or engagement authority direction or contract as aforesaid. And every such payment and contract is hereby declared to be valid and effectual in law and for all other purposes whatsoever.

Indemnity clause.

5. All proclamations regulations delegations warrants orders appointments and other instruments and acts made done or issued or purporting so to be under the authority of the "Military and Naval Forces Regulation Act" for the purpose of raising equipping victualing or despatching the Contingent or of maintaining its government and discipline are hereby declared to be and to have been within the respective powers conferred by the said Act.

Validation of acts &c. under "Military and Naval Forces Regulation Act."