

NEW ZEALAND.

ANNO VICESIMO SEXTO

VICTORIÆ REGINÆ.

No. 32.

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**An Act for raising a Force for the
internal Defence of the Colony.**

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled and by the authority of the same as follows :

Short Title.

I. The Short Title of this Act shall be the "Colonial Defence Force Act 1862."

Ordinances repealed.

II. An Ordinance passed by the Legislative Council of New Zealand intituled "An Ordinance to provide for the Government and Discipline of Troops in the Colony of New Zealand Session VIII. No. 1" is hereby repealed.

Governor may raise and arm Force.

III. The Governor may at any time and from time to time call together arm and array a Force whether of the Native race or Europeans subject to the provisions hereinafter contained and may cause them to be trained and exercised accordingly at such times and places as he shall think fit Provided that the number of such Force shall not exceed five hundred.

And may appoint Officers.

IV. The Governor may appoint a proper number of Officers as well commissioned as non-commissioned and who may or may not be of the Native or European races to train discipline and command such Force and he may determine the rank of such officers and he may from time to time at pleasure dismiss such officers or any of them.

Colonial Defence Force.

And may organize and divide Force.

V. The Governor may organize and divide such Force into Companies or otherwise as he shall think fit.

And may regulate its administration.

VI. The Governor may from time to time make Regulations concerning the training and exercise arms and accoutrements clothing equipments pay rations and quarters of such Force or any part thereof and respecting all other matters connected therewith which may be requisite for promoting the efficiency of such Force and for carrying into effect the provisions of this Act and he may by such Regulations impose penalties for every breach of such Regulations not exceeding Twenty Pounds in each case.

Governor may order Force on Service.

VII. The Governor or such persons as he may by Warrant under his hand appoint for that purpose may at such times as he may think fit direct the Officer commanding such Force to draw out such Force for actual service or such part or number thereof as shall be judged fit and to lead the said Force into any part of the Colony and such Force shall continue on active Military Service so long as in the opinion of the Governor circumstances shall render their services necessary.

Enlistment voluntary.

VIII. No person shall be enlisted in the said Force except voluntarily.

Recruits to take oath of allegiance.

IX. Every person who shall be so enrolled shall on being enrolled take the Oath of Allegiance to Her Majesty.

Governor to fix length of Service.

X. Every person so enrolled shall continue a member of such Force for so long a time as shall be from time to time fixed and determined by the Governor Provided that such term shall not exceed three years.

Mutiny Act and Articles of War to apply.

XI. All things contained in the latest Act of the Imperial Parliament for the time being known in the Colony to be in force for punishing Mutiny and Desertion and for the better payment of the Army and their Quarters and in the Articles of War made in pursuance of such Act shall be in force with respect to such Force and to all Officers Non-commissioned Officers Drummers and Privates of the same during so long time as the Governor shall from time to time by Order in Council direct.

Governor in Council to fix and authorise pay &c.

XII. The Governor in Council shall from time to time settle such rates of pay for all Officers and Privates of the said Force as he shall from time to time think fit and shall by Warrants to be from time to time directed to the Colonial Treasurer direct and cause to be issued and paid such rates of

Colonial Defence Force.

pay accordingly out of any funds which may have been or may be at any time appropriated by the General Assembly for the protection or reinstatement of any District of the Colony in which there may have been or may be a state of war or insurrection or from any funds available generally for Native purposes not specifically appropriated or from any other funds which may at any time be specifically appropriated by the General Assembly to the purposes of this Act.

And to order and pay for accoutrements.

XIII. The Governor shall from time to time order and direct such arms ammunition accoutrements and equipments of the said Force to be furnished and supplied in such manner as he shall think fit and shall direct and cause the costs and charges thereof to be paid out of the General Revenue of the Colony.

Barrack accommodation.

XIV. The Governor may from time to time order and direct proper Buildings to be erected for Quarters or Barrack accommodation for such Force and such Buildings may from time to time by direction of the Governor be repaired and kept in good order and condition with all proper provision suitable for the accommodation of the said Force and the Governor may direct and cause the cost of the same to be defrayed and paid out of any such funds as aforesaid.

Limit of General expenditure.

XV. Provided that no greater sum shall be issued from the Colonial Treasury in any year under this Act than the sum of £30,000.

Governor to exercise powers with advice of Executive.

XVI. All the powers by this Act vested in the Governor shall be exercised with the advice of the Executive Council.

Commencement of Act.

XVII. This Act shall come into force on and after a day to be fixed by the Governor by Proclamation in the *Government Gazette*.