

*General Court Martial Warrant Under Section 6 of the  
Visiting Forces Act 1939*

BERNARD FERGUSON, Governor-General

To the General Officer Commanding 17 Division/Land Forces Borneo or the Officer for the time being Commanding 17 Division/Land Forces Borneo.

WHEREAS, by section 6 (4) (b) of the Visiting Forces Act 1939 (New Zealand), it is provided that, when a home force and another force are acting in combination, any officer of the other force duly appointed to command the combined force, or any part thereof, shall be treated and shall have over members of the home force the like powers of command, arrest, and punishment, and may be invested with the like authority to convene and confirm the findings and sentences of Courts Martial as if he were an officer of the home force of relative rank and holding the same command:

And whereas, by the New Zealand Army Regular Force (Visiting Forces) Order 1955, issued pursuant to section 6 (5) of the aforesaid Act, it was declared that the portion of the New Zealand Army Regular Force that is for the time being serving as part of the Far East Land Forces is serving together and acting in combination with the portions of the military forces of Her Majesty, other than those raised in New Zealand, to which section 6 of the Visiting Forces Act 1939 applies, and with which the said portion of the New Zealand Army Regular Force is for the time being serving as part of the Far East Land Forces:

And whereas the aforesaid order remains in full force and effect:

And whereas you have been for the time being appointed to command that part of the Far East Land Forces being the 17 Division/Land Forces Borneo:

Now, therefore, pursuant to the New Zealand Army Act 1950 and the Visiting Forces Act 1939, I, Brigadier Sir Bernard Edward Fergusson, the Governor-General of New Zealand, hereby authorise and empower you, from time to time and as occasion may require, to convene General Courts Martial for the trial of such persons subject to military law as members of the aforesaid portion of the New Zealand Army Regular Force as are for the time being under or within the territorial limits of your command or jurisdiction who shall be charged with any offence against the New Zealand Army Act for which they may be tried by Court Martial, whether such offences shall have been committed before or after the date of this Warrant or the date you shall have taken upon yourself the command:

And I do hereby authorise and empower you to confirm the findings and sentences of such general Courts Martial, but not to confirm, in the case of officers, any sentences of dismissal from Her Majesty's service or any greater punishment and, in the case of soldiers, any sentence of discharge with ignominy from Her Majesty's service, and imprisonment or detention exceeding 12 months or any greater punishment, and to cause any sentence thereof to be put into execution so far as you may lawfully so do under New Zealand Military law:

And I do hereby further authorise and empower you to delegate to any officer under your command or jurisdiction not below the rank of field officer a general authority to convene general Courts Martial for the trial of such persons subject to military law as members of the aforesaid portion of the New Zealand Army Regular Force as are for the time being under or within the territorial limits of his command, whether the offences shall have been committed before or after such officer shall have taken upon him his command, but not the power to confirm the findings and sentences of such Courts Martial:

I direct that the proceedings of every general Court Martial or of every district Court Martial convened by that last-mentioned officer shall be reserved for confirmation by you in accordance with this Warrant; and that, in all cases where your power to confirm is restricted by the terms of this Warrant, the proceedings shall be reserved for confirmation by the Adjutant-General of the New Zealand Army:

And, lastly, I authorise and empower you to appoint and to delegate to any qualified officer as aforesaid the power of appointing a fit and proper person from time to time for executing the office of Judge Advocate at any such Court Martial for the more orderly proceedings of the same:

And for executing the several powers, matters, and things herein expressed, this Warrant shall be to you, and to others whom it may concern, a sufficient Warrant and authority:

And I declare that this Warrant shall, without ratification, extend to and invest with the aforesaid authorities and powers your successors and any officer for the time being commanding 17 Division/Land Forces Borneo.

As witness the hand of His Excellency the Governor-General this 21st day of May 1965.

J. R. HANAN, for the Minister of Defence.

*General Court Martial Warrant Under Section 6 of the  
Visiting Forces Act 1939*

BERNARD FERGUSON, Governor-General

To the Commander, Central Brigade, or the Officer for the time being Commanding Central Brigade.

WHEREAS, by section 6 (4) (b) of the Visiting Forces Act 1939 (New Zealand), it is provided that, when a home force and another force are acting in combination, any officer of the other force duly appointed to command the combined force, or any part thereof, shall be treated and shall have over members of the home force the like powers of command and punishment, and may be invested with the like authority to convene and confirm the findings and sentences of Courts Martial as if he were an officer of the home force of relative rank and holding the same command:

And whereas, by the New Zealand Army Regular Force (Visiting Forces) Order 1955, issued pursuant to section 6 (5) of the aforesaid Act, it was declared that the portion of the New Zealand Army Regular Force that is for the time being serving as part of the Far East Land Forces is serving together and acting in combination with the portions of the military forces of Her Majesty, other than those raised in New Zealand, to which section 6 of the Visiting Forces Act 1939 applies, and with which the said portion of the New Zealand Army Regular Force is for the time being serving as part of the Far East Land Forces:

And whereas the aforesaid order remains in full force and effect:

And whereas you have been for the time being appointed to command that part of the Far East Land Forces being the Central Brigade:

Now, therefore, pursuant to the New Zealand Army Act 1950 and the Visiting Forces Act 1939, I, Brigadier Sir Bernard Edward Fergusson, the Governor-General of New Zealand, hereby authorise and empower you, from time to time and as occasion may require, to convene general Courts Martial for the trial of such persons subject to military law as members of the aforesaid portion of the New Zealand Army Regular Force as are for the time being under or within the territorial limits of your command or jurisdiction who shall be charged with any offence against the New Zealand Army Act for which they may be tried by Court Martial, whether such offence shall have been committed before or after the date of this Warrant or the date you shall have taken upon yourself the command:

And I do hereby authorise and empower you to confirm the findings and sentences of district Courts Martial, but not the power to confirm the findings and sentences of general Courts Martial nor to confirm any sentence of discharge with ignominy from Her Majesty's service, and imprisonment or detention exceeding 12 months, or any greater punishment, and to cause any sentence thereof to be put into execution so far as you may lawfully so do under New Zealand military law:

And I do hereby further authorise and empower you to delegate to any officer under your command or jurisdiction not below the rank of field officer a general authority to convene general Courts Martial for the trial of such persons subject to military law as members of the aforesaid portion of the New Zealand Army Regular Force as are for the time being under or within the territorial limits of his command, whether the offences shall have been committed before or after such officer shall have taken upon him his command, but not the power to confirm the findings and sentences of such Courts Martial:

I direct that the proceedings of every general Court Martial, or of every district Court Martial where power to confirm is restricted by the terms of this Warrant, convened by you or by that last-mentioned officer, shall be reserved for confirmation by the General Officer Commanding 17 Division/Land Forces Borneo, or by the Adjutant-General of the New Zealand Army, in accordance with this Warrant:

And, lastly, I authorise and empower you to appoint and to delegate to any qualified officer as aforesaid the power of appointing a fit and proper person from time to time for executing the office of Judge Advocate at any such Court Martial for the more orderly proceedings of the same:

And for executing the several powers, matters, and things herein expressed, this Warrant shall be to you, and to others whom it may concern, a sufficient Warrant and authority:

And I declare that this Warrant shall, without ratification, extend to and invest with the aforesaid authorities and powers your successors and any officer for the time being commanding Central Brigade.

As witness the hand of His Excellency the Governor-General this 21st day of May 1965.

J. R. HANAN, for the Minister of Defence.