

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

ARTHUR PORRITT, Governor-General
By his Deputy
RICHARD WILD

To: The Commander, Australian, New Zealand, and United Kingdom Air Component Malaysia/Singapore.

WHEREAS by section 6 (4) (b) of the Visiting Forces Act 1939 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 Visiting Forces (New Zealand with Australia and United Kingdom) Order 1971 made pursuant to section 6 (5) of the aforesaid Act it was declared that the naval, military, and air forces of Her Majesty raised in New Zealand when serving as part of the Australian, New Zealand, and United Kingdom Force Malaysia/Singapore with the naval, military, and air forces of Her Majesty raised in the United Kingdom and in the Commonwealth of Australia are serving together and acting in combination:

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 Australian, New Zealand, and United Kingdom Force Malaysia/Singapore being the Australian, New Zealand, and United Kingdom Air Component Malaysia/Singapore:

Now therefore, pursuant to the Royal New Zealand Air Force Act 1950 and the Visiting Forces Act 1939, I, Sir Arthur Porritt, Baronet, the Governor-General of New Zealand, do 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 air force law as members of the Australian, New Zealand, and United Kingdom Force Malaysia/Singapore as are for the time being under or within the territorial limits of your command or jurisdiction who are charged with any offence against the Royal New Zealand Air Force 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 up your 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 sentence of death, imprisonment, cashiering, or dismissal from Her Majesty's service and, in the case of airmen, any sentence of death, discharge with ignominy from Her Majesty's service, dismissal from Her Majesty's service, or imprisonment for a term exceeding 12 months, and to cause any sentence thereof to be put into execution so far as you may lawfully do so under New Zealand air force 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 squadron leader, a general or a limited authority to convene General Courts Martial for the trial of such persons subject to air force law as members of the Australian, New Zealand, and United Kingdom Force Malaysia/Singapore as are for the time being under or within the territorial limits of his command or jurisdiction whether the offence was committed before or after such officer shall have taken up 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 Chief of the Air Staff of the Royal New Zealand Air Force:

And for executing these 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 the Australian, New Zealand, and United Kingdom Air Component Malaysia/Singapore.

As witness the hand of His Excellency the Governor-General this 1st day of November 1971.

D. THOMSON, Minister of Defence.

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And whereas by the Visiting Forces (New Zealand with Australia and United Kingdom) Order 1971 made pursuant to section 6 (5) of the aforesaid Act it was declared that the naval, military, and air forces of Her Majesty raised in New Zealand when serving as part of the Australian, New Zealand, and United Kingdom Force Malaysia/Singapore with the naval, military, and air forces of Her Majesty raised in the United Kingdom and in the Commonwealth of Australia are serving together and acting in combination:

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

And whereas you have been for the time being appointed to command the Australian, New Zealand, and United Kingdom Force Malaysia/Singapore:

Now therefore, pursuant to the New Zealand Army Act 1950 and the Visiting Forces Act 1939, I, Sir Arthur Porritt, Baronet, the Governor-General of New Zealand, do 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 Australian, New Zealand, and United Kingdom Force Malaysia/Singapore as are for the time being under or within the territorial limits of your command or jurisdiction who are 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 up your 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 sentence of death, imprisonment, cashiering, or dismissal from Her Majesty's service and, in the case of soldiers, any sentence of death, discharge with ignominy from Her Majesty's service, dismissal from Her Majesty's service, or imprisonment for a term exceeding 12 months, and to cause any sentence thereof to be put into execution so far as you may lawfully do so 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 or a limited authority to convene General Courts Martial for the trial of such persons subject to military law as members of the Australian, New Zealand, and United Kingdom Force Malaysia/Singapore as are for the time being under or within the territorial limits of his command or jurisdiction whether the offence was committed before or after such officer shall have taken up 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 Chief of the General Staff of the New Zealand Army:

And for executing these 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 the Australian, New Zealand, and United Kingdom Force Malaysia/Singapore.

As witness the hand of His Excellency the Governor-General this 1st day of November 1971.

D. THOMSON, Minister of Defence.