



Air Force Constitution Act 1917

1917 CHAPTER 51

PART II

ESTABLISHMENT OF AIR COUNCIL

8 Establishment of Air Council

- (1) For the purpose of the administration of matters relating to the Air Force and to the defence of the realm by air there shall be established an Air Council consisting of one of His Majesty's Principal Secretaries of State who shall be President of the Air Council and of other members who shall be appointed in such manner and subject to such provisions as His Majesty may, by Order in Council, direct.
- (2) His Majesty may, by Order in Council, fix the date as on which the Air Council is to be established, and make provision with respect to the proceedings of the Air Council and the manner in which the business of the Council is to be distributed among the members thereof.
- (3) On the establishment of the Air Council, the Air Board constituted under the New Ministries and Secretaries Act, 1916, shall cease to exist, and all the powers, duties, rights, liabilities, and property of that Board shall be transferred to the Air Council, but nothing in this subsection shall affect any orders, instructions, or other instruments issued by the Air Board, and all such instruments shall have effect as if issued by the Air Council.
- (4) His Majesty may, by Order in Council, transfer from the Admiralty, or from the Army Council or the Secretary of State for the War Department, to the Air Council or the President of the Air Council such property, rights, and liabilities of the Admiralty or Army Council or Secretary of State as may be agreed between the Air Council and the Admiralty or the Army Council, as the case may be.

9 Staff, remuneration, and expenses

- (1) The Air Council may appoint such secretaries, officers, and servants as the Council may, with the sanction of the Treasury, determine.

Status: This is the original version (as it was originally enacted).

- (2) There shall be paid, out of moneys provided by Parliament, to the members of the Air Council, and to the secretaries, officers, and servants of the Council, such salaries or remuneration as the Treasury may determine.

10 Style, seal, and proceedings of Air Council

- (1) The Air Council may sue and be sued, and may for all purposes be described, by that name.
- (2) The Air Council shall have an official seal, which shall be officially and judicially noticed, and that seal shall be authenticated by the signature of the President, or of a secretary, or of some' person authorised by the Council to act on behalf of the secretary.
- (3) Every document purporting to be an instrument issued by the Air Council, and to be sealed with the seal of the Council, authenticated in manner provided by this Act. or to be signed by a secretary or any person authorised by the Council to act on behalf of the secretary, shall be received in evidence, and be deemed to be such an instrument without further proof, unless the contrary is shown.
- (4) A certificate signed by the President of the Air Council that any instrument purporting to be made or issued by the Council was so made or issued shall be conclusive evidence of the fact.
- (5) The Documentary Evidence Act, 1868, as amended by the Documentary Evidence Act, 1882, shall apply to the Air Council as if that Council were, mentioned in the first column of the schedule to the first-mentioned Act, and as if the President, or a secretary of the Council, or any person authorised by the President to act on behalf of the Council, was mentioned in the second column of that schedule.

11 Provisions as to sitting in Parliament

The number of Principal Secretaries of State and Under Secretaries capable of sitting and voting in the Commons House of Parliament shall be increased to five, and accordingly section four of the Government of India Act, 1858, and section one of the House of Commons (Vacation of Seats) Act, 1864, shall have effect as if the word "five" was substituted for the word " four " wherever that word occurs in those sections:

Provided that nothing in this provision shall affect the operation of section nine of the New Ministries and Secretaries Act, 1916, so long as that section continues in force.