



Foreign Enlistment Act 1870

1870 CHAPTER 90 33 and 34 Vict

Interpretation Clause

30 Interpretation of terms. “Foreign state:” “Military service:” “Naval service:” “United Kingdom:” “British possession:” “Governor:” “Governor in Council” “Court of Admiralty:” “Ship:” “Building:” “Equipping:” “Ship and equipment:” “Master.”

In this Act, if not inconsistent with the context, the following terms have the meanings herein-after respectively assigned to them; that is to say,

“Foreign state” includes any foreign prince, colony, province, or part of any province or people, or any person or persons exercising or assuming to exercise the powers of government in or over any foreign country, colony, province, or part of any province or people:

“Military service” shall include [^{F1}military telecommunications] and any other employment whatever, in or in connexion with any military operation:

“Naval service” shall, as respects a person, include service as a marine, employment as a pilot in piloting or directing the course of a ship of war or other ship when such ship of war or other ship is being used in any military or naval operation, and any employment whatever on board a ship of war, transport, store ship, privateer or ship under letters of marque; and as respects a ship, include any user of a ship as a transport, store ship, privateer or ship under letters of marque:

“United Kingdom” includes the Isle of Man, the Channel Islands, and other adjacent islands:

“British possession” means any territory, colony, or place being part of Her Majesty’s dominions, and not part of the United Kingdom as defined by this Act:

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“The Governor” shall . . . ^{F3}[^{F4}as respects a British possession which consists] of several constituent colonies, mean the Governor General of the whole possession or the Governor of any of the constituent colonies, and as respects any other British possession it shall mean the officer for the time being

Changes to legislation: There are currently no known outstanding effects for the Foreign Enlistment Act 1870, Section 30. (See end of Document for details)

administering the government of such possession; also any person acting for or in the capacity of a governor shall be included under the term “Governor”:

[^{F5}“Governor in Council” means the Governor of the Isle of Man (including the Lieutenant-Governor, Deputy Governor, Deputy Lieutenant-Governor, and the Acting Governor or Acting Lieutenant-Governor) acting on the advice and with the concurrence of the Executive Council of the Isle of Man.]

“Court of Admiralty” shall mean the High Court of Admiralty of England or Ireland, the Court of Session of Scotland, or any Vice-Admiralty Court within Her Majesty’s dominions:

“Ship” shall include any description of boat, vessel, floating battery, or floating craft; also any description of boat, vessel, or other craft or battery, made to move either on the surface of or under water, or sometimes on the surface of and sometimes under water:

“Building” in relation to a ship shall include the doing any act towards or incidental to the construction of a ship, and all words having relation to building shall be construed accordingly:

“Equipping” in relation to a ship shall include the furnishing a ship with any tackle, apparel, furniture, provisions, arms, munitions, or stores, or any other thing which is used in or about a ship for the purpose of fitting or adapting her for the sea or for naval service, and all words relating to equipping shall be construed accordingly:

“Ship and equipment” shall include a ship and everything in or belonging to a ship:

“Master” shall include any person having the charge or command of a ship.

Textual Amendments

- F1** Words substituted by [Telecommunications Act 1984 \(c. 12, SIF 96\)](#), s. 109, Sch. 4 para. 5, **Sch. 5 para. 45**
- F2** Definition of “The Secretary of State” repealed by [Statute Law Revision \(No. 2\) Act 1893 \(c. 54\)](#)
- F3** Words repealed by S.R. & O. 1937/230 (Rev. X, p. 545: 1937, p. 963), Sch. 1 Pt. II and [Statute Law \(Repeals\) Act 1976 \(c. 16\)](#), **Sch. 1 Pt. VII**
- F4** Words substituted by S.R. & O. 1937/230 (Rev. X, p. 545: 1937, p. 963), Sch. 1 Pt. II
- F5** Definition of “The Governor in Council” inserted by [S.I. 1980/399](#), **Sch. Pt. I para. 3**

Modifications etc. (not altering text)

- C1** Jurisdiction of High Court of Admiralty now exercisable (E.W.) by Admiralty Court and (N.I.) by Queen's Bench Division of High Court of Justice in Northern Ireland: [Supreme Court of Judicature \(Ireland\) Act 1877 \(c. 57\)](#), s. 9, [Supreme Court of Judicature \(Ireland\)\(No. 2\) Act 1897 \(c. 66\)](#), s. 6, S.R. & O. 1921/1802, 1804 (Rev. XVI, pp. 954, 967: 1921, pp. 1332, 442), [Supreme Court of Judicature \(Consolidation\) Act 1925 \(c. 49\)](#), s. 56 (3)(a) and [Administration of Justice Act 1970 \(c. 31\)](#), s. 2(1)

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