



CHAPTER 66.

An Act to repeal subsection (3) of section three of the Military Service Act, 1916, and to provide for the cancellation of certificates of exemption from military service granted on occupational grounds. A.D. 1918.

[6th February 1918.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. Subsection (3) of section three of the Military Service Act, 1916, as amended by section six of the Military Service Act, 1916 (Session 2), is hereby repealed, and accordingly the Military Service Acts, 1916 and 1917, shall, as respects any man whose certificate of exemption for any reason ceases or has ceased (whether before or after the passing of this Act) to be in force, have effect as though the provisions repealed by this section were not included in those Acts. Repeal of s. 3 (3) of 5 & 6 Geo. 5. c. 104. 6 & 7 Geo. 5. c. 15.

2.—(1) The Director-General of National Service may at any time by order withdraw any certificate of exemption from military service to which this section applies as from such date, not being less than fourteen days after the date of the order, as may be specified in the order, and as from that date any certificate to which the order applies shall cease to be in force. Power of Director-General of National Service to withdraw exemptions.

(2) This section applies to any certificate of exemption from the provisions of the Military Service Acts, 1916 and 1917, whether granted before or after the passing of this Act, and whether granted by a tribunal or by or under the authority of a Government Department, where the certificate was granted or renewed on occupational grounds, and also applies to any certificate so granted or renewed on such grounds to a man who has voluntarily attested, notwithstanding that the certificate has not statutory force.

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(3) An order under this section may be made applicable either to individual certificates granted by Government departments, or to certificates granted to any class or body of men specified in the order (whether or not dependent on the obtaining by those men of individual certificates), or to certificates granted to men of any class or description specified in the order, and, as respects any class or body of men or men of any class or description, may be made applicable only to men falling within such limits of age or fulfilling such other conditions as may be specified in the order, and may contain such exceptions and supplemental provisions as the Director-General thinks fit, including giving the right of making an application to a tribunal in exceptional cases.

An order under this section may be revoked, extended, or varied, by a further order of the Director-General, as occasion requires.

(4) Where and so long as an order under this section is in force, then except as otherwise expressly provided by the order—

(a) no application shall be entertained for the grant or renewal of a certificate, and no certificate shall be granted or renewed where the certificate, if it had been operative at the time at which the order was made, would have come within the terms of the order; and

(b) no application shall be made by or in respect of a man whose certificate comes within the terms of the order for the renewal of the certificate except on grounds which are not occupational, or for the grant of any certificate on occupational grounds, and no such application if already made shall be proceeded with, and no certificate shall be renewed or granted on any such application,

and any certificate granted or renewed in contravention of the foregoing provisions shall be invalid, but save as aforesaid nothing in this section shall affect any right of a man, whether unattested or attested, whose certificate has been withdrawn under this Act to apply for a renewal of his certificate which he would have had if this Act had not been passed.

(5) An order under this section (other than an order applicable to an individual certificate) shall be laid on the table of both Houses of Parliament as soon as may be after it is made, and if either of those Houses within fourteen days after the order has been so laid presents an address to His Majesty praying that the order, or any part thereof, should be annulled, His Majesty in Council may annul the order or such part thereof, and it shall thenceforth be void without prejudice to the validity of anything done in pursuance thereof: Provided that section one of the Rules Publication Act, 1893, shall not apply to an order made under this section.

(6) Where an order under this section applicable to an individual certificate is made, notice thereof shall be served on the man affected thereby and may be served by sending it to him by registered post to his last known address. A.D. 1918.

(7) For the purposes of this section a certificate shall be deemed to have been granted or renewed on occupational grounds which was granted or renewed wholly or partly on any of the grounds specified in paragraph (a) of subsection (1) of section two of the *Military Service Act, 1916*, or (in the case of voluntarily attested men) on any similar grounds, or which, in either case, was granted or renewed by or under the authority of any Government Department; and if any question arises whether a certificate was granted or renewed on occupational grounds, the question shall be referred to the Director-General, whose decision thereon shall be final.

3. This Act may be cited as the *Military Service Act, 1918*, and the *Military Service Acts, 1916 and 1917*, and this Act shall be construed together and may be cited together as the *Military Service Acts, 1916 to 1918*. Short title and citation.

Printed by EYRE and SPOTTISWOODE, LIMITED,
FOR

SIR FREDERICK ATTERBURY, K.C.B., the King's Printer of Acts of Parliament.

ISBN 0 10 009093 1