

AIR FORCE

- | | |
|---|--|
| 1. <i>Application of Enactments.</i> | 4. <i>Discipline and Regulation,</i>
p. 937. |
| 2. <i>Air Force Act (Statutory
Amendments),</i> p. 921. | |
| 3. <i>Enlistment and Service,</i>
p. 930. | 5. <i>Billeting and Impressionment
of Vehicles,</i> p. 1046. |

1. Application of Enactments

THE AIR FORCE (APPLICATION OF ENACTMENTS) (NO. 1)
ORDER, 1918.

1918 No. 538

At the Court at Buckingham Palace, the 27th day of April, 1918.

PRESENT,

The King's Most Excellent Majesty in Council.

Whereas provision is made by section eight of the Air Force 7 & 8 Geo.
(Constitution) Act, 1917, for the establishment of an Air Council 5. c. 51.
consisting of one of His Majesty's Principal Secretaries of State, who
is to be President of the Air Council, and of certain other members :

And whereas it is enacted by section thirteen of the Air Force
(Constitution) Act, 1917, that His Majesty may by Order in Council
apply, with the necessary modifications and adaptations, in relation
to the Air Council, the President of the Air Council, and the Air Force,
and the officers and men thereof, and air force property or institutions,
any of the enactments relating to the Army Council, the Secretary of
State for the War Department, the Army, or the officers and soldiers
thereof (including enactments conferring any powers, rights, exemption
or abatement from taxation or immunities, or imposing any duties or
disabilities on such officers or soldiers), or to military property or
institutions :

And whereas the provisions of section one of the Rules Publication 56 & 57 Vict.
Act, 1893, have been complied with : c. 66.

Now, therefore, His Majesty is pleased, by and with the advice of
His Privy Council, to order, and it is hereby ordered, as follows :—

1. The enactments specified in the first column of the Schedule
to this Order, being enactments relating to the Secretary of State for
the War Department or the Army, shall apply so as to confer on the
President of the Air Council all such powers, rights, and privileges in
relation to the acquisition and holding of land for the use of the Air Force
or for Air Force services or purposes, and in relation to the management,
use, and disposal in any manner of land acquired for use of the Air

AIR FORCE

Force or for Air Force services or purposes, as are under the said enactments at the date of this Order vested in His Majesty's Principal Secretary of State for the War Department in relation to the acquisition and holding of land for military purposes or for the service of the War Department and in relation to the management, use, and disposal of land acquired for military purposes or for the services of the War Department, and the said enactments as in force at the date of this Order shall apply and have effect in relation to the President of the Air Council and the Air Force with the modifications and adaptations set out in the second column of the said Schedule.

2. This Order may be cited as the Air Force (Application of Enactments) (No. 1) Order, 1918.

Almeric FitzRoy.

SCHEDULE

Enactments applied	Modifications and adaptations
<p>The Defence Act, 1842 (5 & 6 Vict. c. 94)</p>	<p>Section five shall not apply. "The President of the Air Council" shall be substituted for "the principal officers of Her Majesty's Ordnance", "the said principal officers", and "such principal officers", wherever those expressions occur, except in sections seven and eight, "him" and "his" shall be respectively substituted for "them" and "their" where the last mentioned words are used in reference to the said principal officers, and references to the successors of the said principal officers shall not apply. In section six for "set apart for the use and service or placed under the charge of the ordnance or late barrack department" there shall be substituted "set apart for the use and service of the Air Force or placed under the charge of the Air Council", for "the said departments" in both places where those words occur, and for "the said ordnance department" there shall be substituted "the Air Force", and for "military" there shall be substituted "Air Force". In section seven for "the ordnance department" there shall be substituted "the Air Force". In section eight for "the secretary for the time being of the said principal officers or any other officer of the ordnance department or other person whom the said principal officers or any two or more of them shall from time to time appoint" there shall be substituted "the secretary of the Air Council or any other person whom the President of the Air Council may appoint in that behalf", for "at the option of the said principal officers" there shall be substituted "at the option of the President of the Air Council", for "the secretary for the time being of the said principal officers who shall succeed or then be in office or any other</p>

Application of Enactments

Enactments applied	Modifications and adaptations
<p>The Defence Act, 1842 (5 & 6 Vict. c. 94)— <i>cont.</i></p>	<p>officer of the ordnance department or other person who shall be from time to time appointed as aforesaid (as the case may be) ” there shall be substituted “ the Secretary of the Air Council or any other person whom the President of the Air Council may appoint in that behalf ”, for “ vested in the said principal officers ” there shall be substituted “ vested in the President of the Air Council ”, and the words “ of such officer as shall be so appointed and who shall have been admitted or ”, “ or any other officer of the ordnance department ”, or “ other officer ”, and “ or officer ”, shall not apply.</p> <p>In section nine “ President of the Air Council ” shall be substituted for “ said principal officers for the time being of Her Majesty’s ordnance ”, and “ for the use and service of the Air Force ” shall be substituted for “ for and on behalf of the said ordnance or barrack service ”.</p> <p>In section ten for “ the said ordnance department ” there shall be substituted “ the Air Force ”.</p> <p>In section twelve “ President of the Air Council ” shall be substituted for “ said principal officers of Her Majesty’s ordnance ”.</p> <p>In section sixteen(a) for “ ordnance department ” there shall be substituted “ Air Force ”.</p> <p>In section twenty-five “ President of the Air Council for the service of the Air Force ” shall be substituted for “ said principal officers of the ordnance for the time being for the service of the said ordnance department ”.</p> <p>In section thirty-four for “ relating to the said ordnance or barrack department ” there shall be substituted “ relating to the Air Force ”, and the words “ or any of them ” wherever they occur shall not apply.</p> <p>In section thirty-six the words “ or any two of them ” shall not apply.</p> <p>The following shall be substituted for section thirty-seven :—</p> <p>“ Nothing contained in this Act or to be contained in any covenant, contract, lease, or other instrument, hereby authorised to be entered into, made, taken, or executed by the President of the Air Council shall extend to charge the person of the President of the Air Council executing any such covenant, contract, lease, or other instrument, or any of his own proper lands, tenements, goods or chattels, with or for the performance of all or any of the covenants, conditions, or agreements in the same covenant, contract, lease, or other instrument to be contained on his part ”.</p>

(a) Section seventeen added, *see* S.R. & O. 1923 No. 403, at p. 916 below.

AIR FORCE

Enactments applied	Modifications and adaptations
<p>The Defence Act, 1842 (5 & 6 Vict. c. 94) —<i>cont.</i></p>	<p>In section thirty-nine “ notwithstanding the same or any part thereof may hereafter be permitted to be set apart for the use and service of the Air Force or placed under the charge of the Air Council, and notwithstanding the same may hereafter be permitted to be set apart for or placed under the charge of any person acting under the authority of or in trust for His Majesty for the use and service of the Air Force or for air force defences ” shall be substituted for the words from “ notwithstanding the same or ” to “ military defences ”, and “ Air Force ” shall be substituted for “ the said departments or either of them ”.</p>
<p>The Defence Act, 1854 (17 & 18 Vict. c. 67)</p>	<p>Section forty-one shall not apply. “ The President of the Air Council ” shall be substituted for “ the principal officers for the time being of Her Majesty’s ordnance ” and “ the said principal officers ”, (wherever those words occur), and for “ the principal officers of Her Majesty’s ordnance for the time being ” and “ the said principal officers of Her Majesty’s board of ordnance ”.</p>
<p>The Ordnance Board Transfer Act, 1855 (18 & 19 Vict. c. 117)</p>	<p>Sections one and three shall not apply. In section two the words from the beginning down to “ Her said Majesty and ” and the words “ and any succeeding principal Secretary of State to whom Her Majesty shall have intrusted the seals of the war department ” shall not apply; “ the President of the Air Council ” shall be substituted for “ the said last-mentioned principal secretary of state ”, “ such last-mentioned principal secretary of state ”, “ such principal secretary of state ”, “ such secretary of state ”, and “ the last-mentioned principal secretary of state ”, wherever those words occur; “ the Air Force department ” shall be substituted for “ the said department ”; and “ any President of the Air Council ” shall be substituted for “ any such last-mentioned principal secretary of state ”.</p>
<p>The Defence Act, 1859 (22 Vict. c. 12)</p>	<p>“ The President of the Air Council ” shall be substituted for “ the last-mentioned principal secretary of state ”, wherever those words occur in sections four and five, and for “ such last-mentioned principal Secretary ” in section four, and for “ Her Majesty’s principal Secretary of State for the War Department ”, “ such last-mentioned principal secretary of state ”, and “ the principal Secretary of State for the War Department ”, in section five. “ President of the Air Council ” shall be substituted for “ said Secretary of State ”, wherever those words occur.</p>

Application of Enactments

Enactments applied	Modifications and adaptations
<p>The Lands Clauses Consolidation Acts Amendment Act, 1860 (23 & 24 Vict. c. 106), section seven</p>	<p>“The Air Force” shall be substituted for “the admiralty or of the war department”; and “the President of the Air Council” shall be substituted for “Her Majesty’s principal secretary of state for the war department”, and for “the said principal secretary”, wherever the last-mentioned words occur except after the words “transferred to”.</p>
<p>The Defence Act, 1860 (23 & 24 Vict. c. 112)</p>	<p>“The President of the Air Council” shall be substituted for “the said secretary of state” wherever those words occur, and for “such secretary of state” and “the secretary of state”.</p> <p>In section forty-five “Treasury Solicitor” shall be substituted for “solicitor for the war department”.</p> <p>The words in section forty-seven from the beginning thereof down to the words “war department and” shall not apply.</p>
<p>The Militia (Lands and Buildings) Acts, 1873 (36 & 37 Vict. c. 68), section seven.</p>	<p>“The President of the Air Council” shall be substituted for “Her Majesty’s principal secretary of state for the war department” and for “the said secretary of state”.</p>
<p>The Defence Acts Amendment Act, 1873 (36 & 37 Vict. c. 72)</p>	<p>“The President of the Air Council” shall be substituted for “Her Majesty’s principal secretary of state for the war department”, for “such secretary of state”, and for “the said secretary of state”.</p>
<p>The Barracks Act, 1890 (53 & 54 Vict. c. 25)</p>	<p>In the title for “military purposes” shall be substituted “air force purposes”, and in the preamble for “military forces” shall be substituted “Air Force”.</p>
<p>The Ranges Act, 1891 (54 & 55 Vict. c. 54)</p>	<p>.....</p>
<p>The Military Lands Act, 1892 (55 & 56 Vict. c. 43)(a)</p>	<p>The provisions relating to the purchase of land by or on behalf of a volunteer corps, to the leasing of land to a volunteer corps, and to land belonging to a volunteer corps or in respect of which a volunteer corps has rights, and any provisions incidental to the provisions aforesaid, shall not apply.</p> <p>“The President of the Air Council” shall be substituted for “the secretary of state,” and “a secretary of state” wherever those words occur.</p> <p>“Air force purposes” shall be substituted for “military purposes”, wherever those words occur, except in sub-section (1) of section one and section twenty-three.</p> <p>In sub-section (1) of section one “air force purposes” shall be substituted for “the military purposes of any portion of Her Majesty’s military forces”.</p>

(a) See also amending Order, p. 917 below.

AIR FORCE

Enactments applied	Modifications and adaptations
<p>The Military Lands Act, 1892 (55 & 56 Vict. c. 43)—<i>cont.</i></p>	<p>In section twenty-one “ purpose of the defence of the realm by air ” shall be substituted for “ purposes of coast defence operations ” and “ air signals ” shall be substituted for “ alignment marks ”.</p> <p>The following shall be substituted for the first paragraph of section twenty-three :—</p> <p style="padding-left: 40px;">“ In this Act the expression ‘ air force purposes ’ includes the building and enlarging of barracks, camps and aerodromes, the storing of aircraft and aircraft material, air force training, and any other purpose connected with air force matters approved by the President of the Air Council, and the expressions ‘ air signal,’ ‘ aircraft,’ and ‘ aircraft material ’ have the same meaning as in the Air Force Act.”</p>

(a) S.R. & O. 1918 No. 538, p. 891 above.