

Section 15 provides that if a member of the Expeditionary Force remains in New Zealand after the units to which he is attached has left New Zealand for military service beyond the seas, he shall, unless he proves that he so remained in New Zealand through circumstances over which he had no control, or with the leave or by the orders of an officer of the Defence Forces having military command over him, or that he had duly lodged an appeal and that such appeal had not been determined, be deemed guilty of desertion, and liable under the Army Act and the provisions of the present Act accordingly.

It is further provided by section 16 that if any such member leaves New Zealand, or does any act with intent to leave New Zealand except in the course of his military service, he shall be deemed guilty of desertion and liable accordingly.

In addition to any punishment to which a deserter may be liable under the Army Act the Military Service Act provides that desertion shall be punishable by imprisonment with hard labour for a term not exceeding five years.

Sections 18 to 31 provide for the setting-up of Appeal Boards to hear appeals from persons called up for military service under the Act. Appeals may be lodged under any of the following grounds :—

- (1.) That when called up the appellant was not a member of the Reserve;
- (2.) That when called up from any division or class of the Reserve he was a member of some other division or class the calling-up of which had not been authorized;
- (3.) That by reason of his occupation his calling-up for military service would be contrary to the public interest; and
- (4.) That by reason of his domestic circumstances or for any other reason his calling-up for military service would be a cause of undue hardship to himself or others.

Provision is also made for the lodging of appeals on the ground of religious convictions.

Provision is made for the setting-up of Military Service Boards for the hearing of appeals, and also for the setting-up of a final Appeal Board to hear appeals from decisions of the Military Service Board. Rights of appeal are conferred upon the employers of members of the Reserve in certain cases as well as upon the member himself.

Section 32 provides for a subdivision of the Reserve and for the preparation of separate registers for each such subdivision. If it is considered advisable so to do men may be called up for service from any specified district or districts to the exclusion of other districts.

Sections 33 and 34 make provision for the enrolment of men in any division or class of the Reserve, and impose penalties for failure to enrol.

Section 35 makes special provision for cases where two or more brothers belonging to the First Division of the Reserve, and not permanently unfit for military service, have not voluntarily enlisted for such service. In any such case the Minister of Defence is empowered to call upon those brothers, or any of them, to show cause before a Military Service Board why they should not be called upon for service with the Expeditionary Force. Any person on whom a notice is served under this section has the same right of appeal to a Military Service Board as if he had been selected by lot in the ordinary way.

Supplementary provisions of the Act provide as follows :—

- (1.) Employers are prohibited, subject to a penalty of not less than £20 and not more than £100, from employing or continuing to employ Reservists who are not enrolled in the Reserve.
- (2.) Employers are also prohibited, subject to a fine of not less than £50 and not more than £100, from employing or continuing to employ any deserter.
- (3.) Reservists are prohibited from changing their names except with the written consent of the Minister of Internal Affairs.
- (4.) Reservists are required within fourteen days to notify the Government Statistician of any change of address.
- (5.) After the enrolment of the First Division of the Reserve has been directed, any constable may question any man who may reasonably be supposed to be of military age as to his name, occupation, and abode, the date and place of his birth, his enrolment in the Reserve, and any other matters relevant to the question of his membership of the Reserve or of the Expeditionary Force.

Section 51 empowers the Governor by Proclamation to at any time prohibit voluntary enlistment in the Expeditionary Force either throughout New Zealand or in any recruiting district. The issue of such a Proclamation would entail the general application throughout New Zealand or throughout the particular district concerned of the compulsory provisions of the Act.

Section 52 makes provision for the compulsory vaccination or inoculation where necessary of members of the Expeditionary Force and also for the dental treatment of any such member.

Section 53 empowers the Governor by Order in Council to make regulations for the attestation of members of the Expeditionary Force, and provides penalties for persons who may wilfully make false statements in any attestation paper.

1916, No. 9. The War Regulations Act, 1916.—This Act amends the War Regulations Act, 1914.

Section 2 validates all regulations purporting to have been made under the War Regulations Act, 1914, and issued before the passing of this Act.