

WESTERN AUSTRALIA

ANNO QUINQUAGESIMO PRIMO

VICTORIÆ REGINÆ

No. 25

An Act to provide for the payment by the Colony of
Western Australia of a Proportional Part of the Cost

The Australasian Naval Force Act, 1888

of the Establishment and Maintenance of an Additional Naval Force to be employed for the Protection of the Floating Trade in Australasian Waters.

[Assented to 7th January, 1888.]

WHEREAS the Commissioners for executing the office of Lord High Admiral of the United Kingdom of Great Britain and Ireland, and the Governments of Her Majesty's colonies of New South Wales, Tasmania, South Australia, New Zealand, Victoria, Queensland, and Western Australia, having recognised the necessity for increasing the Naval Force for the protection of the Floating Trade in Australasian waters at their joint charge, have concluded, subject to the ratification and approval of the Legislatures of the said several colonies, an Agreement to the establishment and maintenance of an additional Naval Force for that purpose, which Agreement is set forth in the Schedule to this Act; And whereas in order to give effect to the said Agreement and to make provision for the payment by the colony of Western Australia of that colony's share of the cost of such additional force: Be it therefore enacted by His Excellency the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof, as follows:—

1. This Act may be cited as 'The Australasian Naval Force Act, 1888.' Short title
2. The Agreement set forth in the Schedule hereto is hereby ratified and approved, subject nevertheless to its ratification and approval by the Legislatures of the other Australasian colonies whose Governments are parties to the said Agreement. Ratification of Agreement
3. In each of the ten years during which the said Agreement shall be in force there shall be issued and applied out of the General Revenue of Western Australia, for the purposes of the said Agreement, a sum bearing the same proportion to the total amount payable under Article VII. of the said Agreement as the population of Western Australia in each of such years respectively bears to the total population of the Australasian Colonies whose Governments are parties to the said Agreement, and the said sum is hereby specially appropriated accordingly. Appropriation of annual contribution for ten years
4. For the purposes of the last preceding section the population of each of the said colonies shall in each year be deemed to be such as is certified by the Registrar-General or other officer of such colony charged with the duty of compiling statistics to have been the population of such colony as on the thirty-first day of December next preceding. Until any such certificate is given the population last certified by him shall be deemed to continue to be the population, subject nevertheless to an adjustment of the contributions when a fresh certificate is made. Mode of estimating population
5. The Treasurer of Western Australia shall issue and pay the amount of such contribution to such person and in such manner as the Governor by any warrant under his hand shall direct. Treasurer to pay contribution as directed by Governor

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Treasurer to be
allowed credit
for contribution

6. The Treasurer shall in his accounts, from time to time, be allowed credit for any sum or sums of money paid by him in pursuance of any such warrant or order, and the receipt or receipts of the person to whom the same shall be so paid shall be a full and valid discharge to him in passing his accounts for any such sum or sums as shall be therein mentioned, and he shall receive credit for the same accordingly.

Boundary of
Australian
Station

7. The Australian Station referred to in Article IV. of the Schedule is bounded—

North—On the north from the meridian of 95° east, by the parallel of the 10th degree of south latitude to 130° east longitude; thence northward on that meridian to the parallel of 2° north latitude; and thence on that parallel to the meridian of 136° east longitude; thence north to 12° north latitude and along that parallel to 160° west longitude.

West—On the west by the meridian of 95° east longitude.

South—On the south by the Antarctic Circle.

East—On the east by the meridian of 160° of west longitude.

F. NAPIER BROOME,
GOVERNOR.

SCHEDULE

AGREEMENT AS TO ADDITIONAL FORCE TO BE EMPLOYED FOR THE PROTECTION OF THE FLOATING TRADE IN AUSTRALASIAN WATERS

The Commissioners for executing the Office of Lord High Admiral of the United Kingdom of Great Britain and Ireland, &c., and the Governments of Her Majesty's colonies of New South Wales, Tasmania, South Australia, New Zealand, Victoria, Queensland, and Western Australia, having recognised the necessity of increasing the Naval Force for the protection of the floating trade in Australasian waters at their joint charge, have resolved to conclude for this purpose an Agreement as follows:—

ARTICLE I

Force There shall be established a force of sea-going ships of war, hereinafter referred to as 'these vessels,' to be provided, equipped, manned, and maintained at the joint cost of Imperial and Colonial funds.

ARTICLE II

Status These vessels shall be placed in every respect on the same status as Her Majesty's ships of war, whether in commission or not

ARTICLE III

Change of Crew The officers and men of such of these vessels as are in commission shall be changed triennially, and of those in reserve as may be considered advisable.

ARTICLE IV

Control These vessels shall be under the sole control and orders of the Naval Commander-in-Chief for the time being appointed to command Her Majesty's ships and vessels on the Australian Station.

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These vessels shall be retained within the limits of the Australian Station as defined in the Standing Orders of the Naval Commander-in-Chief, and in times of peace or war shall be employed within such limits in the same way as are Her Majesty's ships of war, or employed beyond those limits only with the consent of the Colonial Governments.

Limit of Em-
ployment

ARTICLE V

Notwithstanding the establishment of this joint naval force, no reduction is to take place in the normal strength of Her Majesty's naval force employed on the Australian Station, exclusive of surveying vessels.

No reduction of
Imperial
Squadron

ARTICLE VI

These vessels shall consist of five fast cruisers and two torpedo gunboats, as represented by the *Archer* (improved type) and *Rattlesnake* classes in Her Majesty's navy. Of the above, three cruisers and one gunboat to be kept always in commission, the remainder being held in reserve, in Australasian ports, ready for commission whenever occasion arises.

Number of
Vessels

ARTICLE VII

1. The first cost of these vessels shall be paid out of Imperial funds, and the vessels fully equipped, manned, and sent to Australia.

Cost

2. The colonies shall pay the Imperial Government interest at 5 per cent. on the first and prime cost of these vessels, such payment not to exceed the annual sum of £35,000.

Interest on first
cost

3. The colonies shall, in addition, bear the actual charges for maintaining from year to year the three fast cruisers and one torpedo gunboat, which are to be kept in commission in time of peace, and also of the three other vessels, which are to remain in reserve, including the liability on account of retired pay to officers, pensions to men, and the charge for relief of crews; provided always that the claim made by the Imperial Government under this head does not exceed the annual payment of £91,000.

Annual charge
for maintenance

4. In time of emergency or actual war the cost of commissioning and maintaining the three vessels kept in reserve during peace shall be borne by the Imperial Government.

Cost of mainte-
nance in war

ARTICLE VIII

In the event of any of these vessels being lost they shall be replaced at the cost of the Imperial Government.

Replacement of
vessels if lost

ARTICLE IX

1. This Agreement shall be considered to become actually binding between the Imperial and the several Colonial Governments named in the first clause so soon as the Colonial Legislatures shall have passed special appropriations for the terms hereinafter mentioned, to which Acts this Agreement shall be attached as a First Schedule.

Terms of Agree-
ment

2. The Agreement shall be for a period of ten years, and only terminate if and provided notice has been given two years previously, viz., at the end of the eighth year, or at the end of any subsequent year, and then two years after such date.

Period

3. On the termination of the Agreement, these vessels to remain the property of the Imperial Government.

Vessels to be pro-
perty of Ad-
miralty

ARTICLE X

1. The payments named in Article VII. shall be considered as payments in advance, and shall first become due and payable on the dates on which the several vessels are put in commission; and the period of ten years referred to in Article IX. is to be calculated from the date of the first vessel being put in commission.

Date of first pay-
ment
Date of Agree-
ment to com-
mence

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Mode of pay-
ment

2. The share of these payments due from each colony shall be paid annually in London by the Agents-General and the Crown Agents respectively to such account as the Lords Commissioners of the Admiralty may direct.

Closing of
accounts

3. The accounts of these vessels shall be closed each year on the 31st March, and the difference between expenditure and £91,000 per annum for maintenance adjusted in subsequent annual payments, should the actual expenditure prove less than that sum.

ARTICLE XI

Local defence
forces

Nothing in this Agreement shall affect the purely local naval defence forces which have been, or may be, established in the several colonies for harbour and coast defence. Such local forces in each colony to be paid for entirely by that colony, and to be solely under its control.

ARTICLE XII

Vessels to be
stationed in New
Zealand waters

In time of peace two ships, either of the normal Imperial squadron, or of these vessels, shall be stationed in New Zealand waters as their head-quarters. Should, however, such emergency arise as may, in the opinion of the Naval Commander-in-Chief, render it necessary to remove either or both of such ships, he shall inform the Governor of the reasons for such temporary removal.
