



## MILITARY SERVICE (ISLE OF MAN) ACT, 1916.

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His Majesty the King has been graciously pleased to extend, with adaptations, the provisions of the Military Service Act, 1916, to the Isle of Man by an Order in Council dated the 29th February, 1916, under the Isle of Man (War Legislation) Act, 1914.

His Excellency the Governor, under powers conferred on him by section 4 of the Military Service (Isle of Man) Act, has fixed March 3rd as the date on which the Act shall come into operation in the Isle of Man. The "appointed date" under the Act will, therefore, be March 24th, 1916.

The Act applies to every male British subject who (a) was ordinarily resident in Great Britain or the Isle of Man on the 15th August, 1915, or has become since that date or hereafter becomes ordinarily resident in Great Britain or the Isle of Man; (b) had attained the age of 18 years on the 15th August, 1915, and has not attained the age of 41 before the appointed date (the 24th March, 1916); and (c) was, on the 2nd November, 1915, single or was a widower without any child dependent on him; subject to the following exceptions, which are set out in the First Schedule to the Act:—

(1) Men ordinarily resident in His Majesty's Dominions abroad or resident in Great Britain or the Isle of Man for the purpose only of their education or for some other special purpose.

(2) Members of His Majesty's regular or reserve forces, or of the forces raised by the Governments of His Majesty's Dominions, and members of the Territorial Force who are liable for foreign service or who are, in the opinion of the Army Council, not suited for foreign service.

(3) Men serving in the Navy, or the Royal Marines, or who, though not serving in the Navy or Royal Marines, are recommended for exception by the Admiralty.

(4) Men in holy orders or regular ministers of any religious denomination.

(5) Men who have left or been discharged from the naval or military service of the Crown in consequence of disablement or ill-health (including officers who

have ceased to hold a commission in consequence of disablement or ill-health), and, subject to any provision which may hereafter be made by Parliament, men who have been discharged from the naval or military service of the Crown on the termination of their period of service.

(6) Men who hold a certificate of exemption under the Military Service (Isle of Man) Act for the time being in force (other than a certificate of exemption from combatant service only), or who have offered themselves for enlistment and been rejected since the 14th day of August, 1915.

**Every man to whom the Act applies and who is not included in the foregoing list of exceptions will as from the appointed date (the 24th March, 1916) be deemed to have been enlisted and to have been passed to the reserve.** A man who has made an application for exemption within the time fixed will not be called up until his application has been finally disposed of, and, if granted a certificate, will be exempted accordingly from the provisions of the Act.

It is the intention of the Army Council that the men shall be placed, and be called up, in age classes, as in the case of men voluntarily attested.

A man who holds a certificate of exemption will not be deemed to have been enlisted while his certificate is in force, and, if it ceases to be in force, he is allowed a period of two months in which, if he is entitled to be exempted, he can obtain a renewal of the certificate.

**The fact that a man is, or is in a class, entitled to exemption, does not do away with the necessity of applying for a certificate of exemption.**

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#### CERTIFICATES OF EXEMPTION.

An application may be made at any time **before the "appointed date" (the 24th day of March, 1916)** to the Local Tribunal established under the Act by or in respect of any man for the issue to him of a Certificate of Exemption from the provisions of the Act.

- (a) on the ground that it is expedient in the national interests that he should, instead of being employed in military service, be engaged in other work in which he is habitually engaged, or in which he wishes to be engaged, or, if he is being educated or trained for any work, that he should continue to be so educated or trained; or
- (b) on the ground that serious hardship would ensue if the man were called up for Army Service, owing to his exceptional financial or business obligations or domestic position; or
- (c) on the ground of ill-health or infirmity; or
- (d) on the ground of a conscientious objection to the undertaking of combatant service.

Forms for applying to the Local Tribunal for a Certificate of Exemption may be obtained at any Police Station.

When completed such forms must be **delivered to the Clerk of the Local Tribunal, Douglas.**

Power to extend the time for applying for a certificate of exemption is conferred on the Local Tribunal where failure to apply before the appointed date has arisen owing to absence or other good cause.

An appeal from the decision of the Local Tribunal to the Appeal Tribunal may be made by any person aggrieved by the decision of the Local Tribunal or by the military authorities. **The appeal must be made not later than three clear days after the decision of the Local Tribunal.** A form for entering an appeal may be obtained from any Police Station or from the Clerk to the Local Tribunal, Douglas. When completed this form must be delivered to the Clerk to the Local Tribunal, Douglas.

Further appeal may be made, by leave of the Appeal Tribunal, from that Tribunal to the Central Tribunal. It is not intended that cases shall come before the Central Tribunal unless important questions of principle are involved or unless there is some other special reason why the appeal should be allowed.

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#### CERTIFIED OCCUPATIONS.

Under section 2 (2) of the Act, Government Departments are empowered in certain cases to certify for exemption classes or bodies of men. In Great Britain the Government Departments concerned have certified that the work of men in certain occupations is work of national importance, and that, subject to the provisions contained in the Regulations, the classes or bodies of men who are employed or engaged in these occupations are exempted from the provisions of the Act, and, by the adaptation of the Act to the Isle of Man, these same classes or bodies of men are exempted in the Isle of Man.

The occupations are the same as those hitherto known as "starred" or "reserved" occupations, with some additions and revisions. The list is not to be regarded as final, and is subject to revision from time to time, occupations being added or withdrawn. If an occupation is withdrawn, a man in that occupation is no longer entitled to exemption on the ground that he is engaged in the occupation.

It is necessary that men and employers who may be affected should know **what occupations are certified; every facility will be afforded to the public to consult the list at the Police Stations.**

POSITION OF VOLUNTARILY ATTESTED MEN.

**Voluntarily attested men** (*i.e.*, men who have already attested under the Derby Scheme) **do not come within the operation of the Military Service Act**, but the Local Tribunals which are appointed for dealing with cases under the Military Service Act are to be the Tribunals also for dealing with the cases of voluntarily attested men.

The existing Tribunals will, therefore, not be continued.

Applications in respect of attested men which have been received under the previous Instructions (including applications to be treated as starred) and have not yet been decided, are to be dealt with by the new Tribunal.

It is competent to the Tribunal, in dealing with the applications, to grant such exemption as may be given under the new Instructions. Appeal will lie to the Appeal Tribunal.

The new Local Tribunal will give decisions (not simply make recommendations) in all applications made to them, subject to the right of appeal.

**With regard to attested men in certified occupations**, it is open to any such man (or someone on his behalf) **to make a claim for exemption to the recruiting officer, personally or by letter, giving full particulars, on the ground that his principal and usual occupation is a certified occupation.** If the recruiting officer agrees, the man shall be exempted from service.

As a rule, therefore, attested men in certified occupations need not make application to the Local Tribunal for exemption except in cases in which their claim for exemption has been disputed by the recruiting officer.

A certificate of exemption shall be issued to the man if exemption is granted by the Local Tribunal. The form (R. 50) will be similar to that for use in the case of men coming under the Military Service Act, with some necessary modifications, but will be of a different colour.

A form for the Register of Cases (R. 55), similar to the form for cases under the Military Service Act, has been prepared.

Additional copies of this Circular may be obtained at any Police Station.

By Order.

B. E. SARGEAUNT,  
Government Secretary.

Government Office,

Isle of Man,

1st March, 1916.