



The National Service (Armed Forces) Act, 1939.

The National Service (Armed Forces) (Postponement Certificates) (Isle of Man) Regulations 1940.

HIS EXCELLENCY THE LIEUTENANT GOVERNOR has, under the powers conferred on him by Sub-section (7) of section 6 of the National Service (Armed Forces) Act, 1939, as extended to the Isle of Man by Order in Council dated the 27th day of October, 1939, made Regulations entitled the National Service (Armed Forces) (Postponement Certificates) (Isle of Man), Regulations 1940, dated the 20th day of February, 1940, a copy of which is appended.

Tynwald approved the Regulations on the 20th day of February, 1940, upon which date the Regulations came into force.

Government Office,
Isle of Man,
20th, February, 1940.

By Order,
B. E. SARGEAUNT,
Government Secretary.

ISLE OF MAN
TO WIT.

BY HIS EXCELLENCY VICE-ADMIRAL THE RIGHT HONOURABLE
THE EARL GRANVILLE, C.B., D.S.O., LIEUTENANT GOVERNOR OF
THE SAID ISLE, &c., &c., &c.

The National Service (Armed Forces) Act, 1939.

**The National Service (Armed Forces) Postponement Certificates
(Isle of Man) Regulations, 1940.**

I, the said Lieutenant Governor by virtue of the powers conferred on me by sub-section (7) of section 6 of the National Service (Armed Forces) Act, 1939, (hereinafter referred to as "the Act"), and of all other powers enabling me in that behalf, DO hereby make the following Regulations :—

Short title commencement and interpretation.

1. (1) These Regulations may be cited as the National Service (Armed Forces) (Postponement Certificates) (Isle of Man) Regulations, 1940, and shall come into force on the date on which Tynwald approves of these Regulations.

(2) The Act for shortening the language of Acts of Tynwald passed in the year 1865 applies to the interpretation of these Regulations as it applies to the interpretation of an Act of Tynwald.

Principles to be applied and circumstances to which regard is or is not to be had in granting or renewing postponement certificates.

2. In determining applications for the grant or renewal of a postponement certificate under the Act the principles to be applied and the circumstances to which regard is or is not to be had shall be as follows :—

(1) Domestic position.

In determining an application based on the domestic position of the applicant regard should be had to the circumstances in which members of the same household as the applicant or dependent persons living elsewhere than in the same household as the applicant will be placed in the event of the application being rejected rather than to the applicant's individual circumstances, and such an application should be granted only if, owing to the existence of specific circumstances, the refusal of a certificate would be likely to cause hardship to members of the household other than the applicant or to dependent persons living elsewhere than in the same household as the applicant over and above that which the calling up of men for service in due course might normally be expected to cause.

(2) Business responsibilities and interests.

An application based on business responsibilities and interests should be granted only if the circumstances are such that the business in respect of which the responsibilities and interests arise cannot be carried on in the applicant's absence unless and until alternative arrangements have been made with respect to the carrying on of the business in his absence and the necessary arrangements either for carrying on the business or for its disposal cannot immediately be made.

(3) Individual circumstances and other cases.

In determining an application based on individual circumstances or on grounds other than those above referred to, regard should be had to the circumstances in which the applicant will be placed in the event of the

application being rejected, and such an application should be granted only if, owing to the existence of specific circumstances, the refusal of a certificate would be likely to cause hardship to the applicant over and above that which the calling up of men for service in due course might normally be expected to cause.

Period for which postponement certificates may be granted or renewed.

3. The period for which a postponement certificate may be granted or renewed should as far as possible be adjusted to the time which the applicant might reasonably be expected to require in order to make alternative arrangements with respect to his domestic position or the carrying on or disposal of any business or to deal with any other relevant matter as the case may be, so however that—

- (1) the period for which a certificate may be granted shall in no case exceed a period of six months, calculated from the date on which the applicant applied for the certificate ;
- (2) the period for which a certificate may be renewed shall in no case exceed a period of six months, calculated from the end of the period for which it was granted or last renewed ; and
- (3) no certificate granted on the ground of business responsibilities and interests should be allowed to remain in force for longer than twelve months in all, and accordingly the maximum period for which such a certificate may be renewed must be ascertained by deducting from the said period of twelve months the period for which the certificate was originally granted and any other period or periods for which the certificate has since been renewed.

Given under my hand this 20th day of February, 1940.

GRANVILLE,

Lieutenant Governor.