

# **Australasian Naval Defence Act 1887**

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**An Act to provide for the Payment by the Colony of New Zealand of a Proportional Part of the Cost of the Establishment and Maintenance of an Additional Naval Force to be employed for the Protection of the Floating Trade in Australasian Waters.**

### **Preamble.**

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 Parliament of the United Kingdom and the Parliaments 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 New Zealand of that colony's share of the cost of such additional force, we, your Majesty's dutiful and loyal subjects, the House of Representatives in Parliament assembled, have resolved to grant to your Majesty the sum hereinafter mentioned, and for the purposes hereinafter expressed, and do therefore most humbly beseech your Majesty that it may be enacted, and be it enacted by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—**

**1 Short Title.**

The Short Title of this Act is "The Australasian Naval Defence Act, 1887."

**2 Ratification of agreement.**

The said agreement is hereby ratified and approved, subject nevertheless to its ratification and approval by the Parliaments of the other Australasian Colonies whose Governments are parties to the said agreement.

**3 Appropriation of annual contribution for ten years.**

In each of the ten years during which the said agreement shall be in force, there shall be issued and paid to Her Majesty, out of the Consolidated Fund, 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 New Zealand bears to the total population of the Australasian Colonies whose Governments are parties to the said agreement.

**4 Mode of estimating population.**

For the purposes of the last-preceding section the European population of each of the said colonies shall in each year be deemed to be such as is certified by the Government Statist, 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 or returned by such Statist, Registrar-General, or other officer for the purposes of any Act relating to a census of the people shall be deemed to continue to be the population, subject nevertheless to an adjustment of the contributions when a fresh certificate is made.

**5 Contributions of New Zealand not affected by any colony failing to ratify agreement.**

If any of the Legislatures of the several colonies whose Governments are parties to the said agreement shall fail to make provision ratifying such agreement, and providing for a proportional annual contribution for the purposes of this Act, then the Colony of New Zealand shall only be liable, under this Act, to contribute in the proportion as if all such colonies had passed Acts for the purposes aforesaid.

**6 Boundaries of Australian station defined.**

The Australian station referred to in Article IV. of the said agreement is bounded—

N.—On the north from the meridian of ninety-five degrees east by the parallel of the tenth degree of south latitude to one hundred and thirty degrees east longitude; thence northward on that meridian to the parallel of two degrees north latitude; thence on that parallel to the meridian of one hundred and thirty-six degrees east longitude; and thence north to twelve degrees north latitude and along that parallel to one hundred and sixty degrees west longitude.

W.—On the west by the meridian of ninety-five degrees east longitude.

S.—On the south by the Antarctic circle.

E.—On the east by the meridian of one hundred and sixty degrees of west longitude.

## **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 crews.**

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. Limit of employment.**

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.

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.

**Article V.****No reduction of Imperial squadron.**

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.

**Article VI.****Number of vessels.**

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.

**Article VII.****Cost. Interest on first cost. Annual charge for maintenance. Cost of maintenance in war.**

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

**Article VIII.****Replacement of vessels lost.**

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

### **Article IX.**

#### **Terms of agreement. Period. Vessels to be property of Admiralty.**

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

### **Article X.**

#### **Date of first payment. Date for agreement to commence. Mode of payment. Closing of accounts.**

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.
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.
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.

**Schedule**  
**Limits of Australian Station.**

The Australian Station is bounded—

N.—On the north from the meridian of  $95^{\circ}$  east by the parallel of the 10th degree of south latitude to  $130^{\circ}$  east longitude; thence northward on that meridian to the parallel of  $2^{\circ}$  north latitude; thence on that parallel to the meridian of  $136^{\circ}$  east longitude; and thence north to  $12^{\circ}$  north latitude and along that parallel to  $160^{\circ}$  west longitude.

W.—On the west by the meridian of  $95^{\circ}$  east longitude.

S.—On the south by the Antarctic circle.

E.—On the east by the meridian of  $160^{\circ}$  of west longitude.