

3. Officers electing to become subject to such provisions will, provided that they are recommended by the Commanding Officer of the unit in which they wish to serve, be gazetted as officers of the Territorial Force; and men so electing will, subject to a similar proviso, be enlisted in the said Force in accordance with section nine of the said Act, and with regulations prescribed by His Majesty's Army Council. Any officer or man electing not to become subject to the said provisions will respectively either relinquish his commission or be discharged from His Majesty's Service as soon as may be.

4. All officers and men of the units (or parts of units) transferred to the said Force under this Order shall, until they either have been gazetted or attested (as the case may be) or have relinquished their commissions or been discharged, as provided above, remain subject to the same provisions, as regards conditions and area of service and otherwise, as would have been applicable to them, if the units or parts of units to which they belong had not been so transferred; provided that no officer or man shall while remaining subject to such provisions be permitted to undergo training or to attend drills, unless required to do so by His Majesty's Army Council.

5. All property belonging to or held for the benefit of any unit of the Volunteers or Yeomanry mentioned in the first column of the schedule to this Order and vested in the commanding officer of any corps or regiment of Volunteers or Yeomanry as such shall, if and so far as it consists of land or any interest in land, by virtue of this Order become vested in, and, so far as it consists of other property, be transferred to, the association hereinafter mentioned, subject to any charges thereon and to any liabilities in or towards the discharge of which the property is properly applicable, and shall be held by that association for the benefit of the corresponding unit of the Territorial Force, in like manner in all respects as it was held by such commanding officer as aforesaid for the unit of the Volunteers or Yeomanry, or for such other purposes as the association, with the consent of such corresponding unit (to be ascertained in manner prescribed by regulations of the Army Council) shall direct:

Provided that the foregoing provisions as to vesting shall not apply as respects the legal estate in any copyhold or customary land, but in such case such legal estate shall, subject to the customs of the manor, be transferred to such trustees as the association in which the estate, if the land had not been copyhold or customary land, would have vested may appoint for the purpose.

6. The association in which any land or interest in land is so vested shall be—

(a) if the unit is administered by a single association, that association, wherever the land may be situated; and

(b) if the unit is administered by more than one association, the association of the county in

which the land is situated, or, if the land is not situated in any of the counties the associations of which administer the unit, such of those associations as the Secretary of State may by Order direct.

The association to which property other than land is to be so transferred shall be—

(a) if the unit is administered by a single association, that association; and

(b) if the unit is administered by more than one association, such of the associations and in such proportions as the Secretary of State may direct.

The commanding officer in whom any property directed by or under this Order to be transferred to an association or to trustees is vested shall, on the request and at the cost of the association to which the property is to be transferred or by which the trustees are appointed, execute and do all such lawful assurances and things for transferring the property to the association or trustees as the association may reasonably require.

If any question arises as to the association in or to which any property is vested or is to be transferred under this Order, the question shall be decided by the Secretary of State, whose decision shall be final.

7. Where any property belonging to or held for the benefit of a unit of Volunteers or Yeomanry mentioned in the first column of the Schedule to this Order is vested in or held by any trustees other than such commanding officer as aforesaid, those trustees shall, until otherwise directed by Order in Council under the said section 29, be appointed in regard to the property so vested in or held by them to be special trustees, to the exclusion of the association, and shall continue to hold such property in trust for the corresponding unit of the Territorial Force, in like manner in all respects as they previously held it for the unit of the Volunteers or Yeomanry, and the corresponding unit shall notwithstanding any trust, limitation, or condition affecting any such property, continue entitled to the benefit thereof in like manner as the unit was entitled thereto before it became a unit of the Territorial Force.

8. Where the council of a county or borough have acquired any land or interest in land on behalf of any unit of Volunteers mentioned in the first column of the Schedule to this Order, the council may, with the consent of the Secretary of State, transfer the land or interest in land and any outstanding liabilities incurred by the council in respect thereof to the association or one of the associations by which the corresponding unit of the Territorial Force is administered, if that association consents to the transfer, but unless and until the land or interest is so transferred the council shall continue to hold the land or interest in land on behalf of the corresponding unit of the Territorial Force, in like manner in all respects as they held it on behalf of the unit of the Volunteers.

A. W. FitzRoy.