

5. All appeals shall be heard in public, unless the Board in any particular case, due regard being given to the interests of the appellant and of all other persons concerned, considers that the hearing or any part thereof should take place in private; provided that the Board may deliberate in private as to the determination of the appeal or as to any question arising in the course of the proceedings.

6. The hearing of an appeal may from time to time be adjourned by the Board to any time and place or *sine die*; but, if adjourned *sine die*, reasonable notice of the time and place of the continuance thereof shall be given by post, telegraph, or otherwise to the appellant or his representative and to the Military Representative.

7. When the hearing of an appeal has been completed the Board may reserve its determination, and may thereafter determine the appeal at any time and place, and either publicly or privately, and either with or without previous notice to the appellant or the Military Representative.

8. The forms set out in the Schedule hereto may be used for the purposes of the Military Service Act.

9. In determining an appeal on the ground set out in paragraph (c) of section 18 of the Military Service Act the Board shall, unless it sees good reason to the contrary, accept as sufficient a certificate by the Minister of Defence that the occupation of the reservist is of such a nature that the calling-up of that reservist for military service is contrary to the public interest.

10. Notwithstanding anything to the contrary in subsection (3) of section 18 of the Military Service Act, a Board shall be under no obligation to accept as sufficient evidence of undue hardship the facts set out in that subsection, if the Board is satisfied that by reason of estrangement between the reservist and his parents, or by reason of any other exceptional circumstances, the calling-up of the reservist for military service would not in fact be a cause of undue hardship to his parents.

11. A Military Service Board shall not allow an appeal on the ground set out in paragraph (e) of section 18 of the Military Service Act until and unless the reservist has signed and delivered to the Commandant or to the Board an undertaking in form No. 8 in the Schedule hereto signifying his willingness to perform non-combatant work or services.

12. (1.) When any reservist who is required under section 35 of the Military Service Act to show cause why he should not be called up for service gives notice of appeal on the ground that he or any brother of his is permanently unfit for military service, the Commandant shall forthwith after the receipt of such notice of appeal cause every person so alleged to be unfit for military service to be required under section 7 of the said Act to submit himself for examination before a Board of medical officers (hereinafter called a Medical Board).

(2.) The report of the Medical Board shall be transmitted through the Commandant to the Military Service Board appointed to hear the appeal.

(3.) The Military Service Board shall not determine the appeal until that Board has received from the Commandant, in respect of every person so alleged to be unfit for military service, either the report of a Medical Board or an intimation that such person has made default in submitting himself for examination before a Medical Board.

SCHEDULE.

Form No. 1.

Military Service Act, 1916.

NOTICE OF APPEAL BY RESERVIST CALLED UP FOR SERVICE BY LOT.

To the Commandant, New Zealand Defence Forces, Wellington.

HAVING been called up by lot for service with the New Zealand Expeditionary Force, I hereby appeal to a Military Service Board on the following grounds [*Appellant must strike out any ground on which he does not desire to appeal; he may, however, appeal on more than one ground*]:—

- (a.) That when so called up I was not a reservist.
- (b.) That when so called up I was a reservist of the Second Division.
- (c.) That my calling-up for service is contrary to the public interest because of my occupation—namely [*State nature of occupation*].
- (d.) That my calling-up for service will be a cause of undue hardship for the following reasons: [*State shortly reason or reasons*].
- (e.) That I have religious objections in accordance with section 18 of the Military Service Act, 1916.