



# Revision of the Army and Air Force Acts (Transitional Provisions) Act 1955

1955 CHAPTER 20 3 and 4 Eliz 2

An Act to continue the Army and Air Force Acts until the appointed day, and to make, with respect to the replacement thereof by new provisions, certain transitional provisions and savings and amendments of other enactments relating to those Acts or otherwise to the armed forces of the Crown; to make permanent certain provisions contained in the said Acts; and to repeal certain enactments relating to the armed forces of the Crown which are rendered unnecessary by the expiry of those Acts or are otherwise obsolete. [6th May 1955]

## Modifications etc. (not altering text)

- C1 Words of enactment omitted under authority of [Statute Law Revision Act 1948 \(c. 62\), s. 3](#)
- C2 Act amended (women's services) by [Armed Forces Act 1981 \(c. 55, SIF 7:1\), s. 20, Sch. 3 Pt. I para. 1](#)

## <sup>F1</sup> Interim continuation of Army and Air Force Acts.

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## Textual Amendments

- F1 [S. 1](#) repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\), s. 383\(2\), Sch. 17; S.I. 2009/812, art. 3\(a\)\(b\)](#) (with transitional provisions in S.I. 2009/1059); [S.I. 2009/1167, art. 4](#)

## <sup>F2</sup> Transitional provisions and savings.

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**Changes to legislation:** There are currently no known outstanding effects for the Revision of the Army and Air Force Acts (Transitional Provisions) Act 1955. (See end of Document for details)

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### Textual Amendments

- F2** [S. 2](#) repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), [Sch. 17](#); [S.I. 2009/812](#), art. 3(a)(b) (with transitional provisions in [S.I. 2009/1059](#)); [S.I. 2009/1167](#), art. 4

## 3 Amendment of other enactments.

In connection with the replacement of the Army Act and the Air Force Act by new provisions, the enactments set out in the Second Schedule to this Act shall be amended as provided by that Schedule.

## 4 Provisions replacing ss.174 and 174A of Army and Air Force Acts.

The provisions set out in the Third Schedule to this Act, being the provisions contained in sections one hundred and seventy-four and one hundred and seventy-four A of the Army Act and of the Air Force Act, shall have permanent effect.

### Modifications etc. (not altering text)

- C3** [S. 4](#) extended by [Greater Manchester Act 1981 \(c. ix\)](#), s. 114(1)

## 5 ..... F3

### Textual Amendments

- F3** [S. 5](#) repealed by [Statute Law \(Repeals\) Act 1974 \(c. 22\)](#), [Sch. Pt. XI](#)

## 6 Short title and commencement.

- (1) This Act may be cited as the Revision of the Army and Air Force Acts (Transitional Provisions) Act, 1955.

(2)

This Act, except section one thereof, shall come into operation on the appointed day.

- (3) In this Act the expression “the appointed day” means such day as Her Majesty may by Order in Council appoint.

**Changes to legislation:** There are currently no known outstanding effects for the Revision of the Army and Air Force Acts (Transitional Provisions) Act 1955. (See end of Document for details)

## SCHEDULES

### F<sup>4</sup>FIRST SCHEDULE

Section 2.

#### Textual Amendments

- F4** Sch. 1 repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), [Sch. 17](#); S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, art. 4

### SECOND SCHEDULE

Section 3.

#### ADAPTATION OF ENACTMENTS

1 ..... F<sup>5</sup>

#### Textual Amendments

- F5** Sch. 2 paras. 1, 7 repealed by [Naval Discipline Act 1957 \(c. 53\)](#), [Sch. 6](#)

2 ..... F<sup>6</sup>

#### Textual Amendments

- F6** Sch. 2 para. 2 repealed by [Mental Health \(Scotland\) Act 1960 \(c. 61\)](#), [Sch. 5](#)

*The Regimental Debts Act, 1893 56 and 57 Vict. c. 5.*

- 3 In section twenty-nine after the definition of “prescribed” there shall be inserted — “ the expression “desert” means commit an offence against paragraph (a) of subsection (2) of section thirty-seven of the Army Act, 1955 ”,
- and for the words “the Army Act” there shall be substituted the words “ the Army Act, 1955. ”

#### Modifications etc. (not altering text)

- C4** The text of Sch. 2 paras. 3–5, 8, 9(2), 16, 17 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

*Changes to legislation:* There are currently no known outstanding effects for the Revision of the Army and Air Force Acts (Transitional Provisions) Act 1955. (See end of Document for details)

*The Uniforms Act, 1894 57 & 58 Vict. c. 45.*

4 In section four the words “ within the meaning of the Army Act ” shall be omitted.

**Modifications etc. (not altering text)**

- C5** The text of Sch. 2 paras. 3–5, 8, 9(2), 16, 17 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

*The Criminal Evidence Act, 1898 61 & 62 Vict. c. 36.*

<sup>F7</sup>5 . . . . .

**Textual Amendments**

- F7** Sch. 2 para. 5 repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), [Sch. 17](#); S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, art. 4

6 . . . . . <sup>F8</sup>

**Textual Amendments**

- F8** Sch. 2 para. 6 repealed by [Armed Forces Act 1971 \(c. 33\)](#), s. 77(2), [Sch. 4 Pt. II](#)

7 . . . . . <sup>F9</sup>

**Textual Amendments**

- F9** Sch. 2 paras. 1, 7 repealed by [Naval Discipline Act 1957 \(c. 53\)](#), [Sch. 6](#)

*The Ferries (Acquisition by Local Authorities) Act, 1919 9 & 10 Geo. 5. c. 75.*

8 In section four the words “ and save as provided by the Army Act ” shall be omitted.

**Modifications etc. (not altering text)**

- C6** The text of Sch. 2 paras. 3–5, 8, 9(2), 16, 17 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

*The Visiting Forces (British Commonwealth) Act, 1933 23 & 24 Geo. 5. c. 6*

<sup>F10</sup>9 . . . . .

**Changes to legislation:** There are currently no known outstanding effects for the Revision of the Army and Air Force Acts (Transitional Provisions) Act 1955. (See end of Document for details)

### Textual Amendments

- F10** Sch. 2 para. 9 repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), [Sch. 17](#); S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, art. 4

10 ..... **F11**

### Textual Amendments

- F11** Sch. 2 paras. 10, 15 repealed by [Statute Law \(Repeals\) Act 1977 \(c. 18\)](#), s. 1(1), [Sch. 1 Pt. I](#)

11–14 ..... **F12**

### Textual Amendments

- F12** Sch. 2 paras. 11–14, 18 repealed by [Reserve Forces Act 1980 \(c. 9, SIF 7:2\)](#), s. 157, [Sch. 10 Pt. II](#)

15 ..... **F13**

### Textual Amendments

- F13** Sch. 2 paras. 10, 15 repealed by [Statute Law \(Repeals\) Act 1977 \(c. 18\)](#), s. 1(1), [Sch. 1 Pt. I](#)

### *The Defamation Act, 1952 15 & 16 Geo. 6. & Eliz. 2. c. 66*

- [<sup>F14</sup>16 In the Schedule, in paragraph 4, for the words “the Army Act or the Air Force Act” there shall be substituted the words “ the Army Act, 1955 or the Air Force Act, 1955 ” . ]

### Textual Amendments

- F14** Sch. 2 para. 16: entry relating to the Defamation Act 1952 repealed (4.9.1996 so far as consequential on ss. 1, 5, 6, 12, 13, 16 of the repealing Act; 1.4.1999 so far as consequential on ss. 14, 15, 17, Sch. 1 of the repealing Act; and 6.1.2010 for N.I. in so far as not already in force) and expressed to be repealed (28.2.2000 for E.W. insofar as not already in force and 31.3.2001 for S. and otherwise *prosp.*), by [1996 c. 31](#), ss. 16, 19(3), [Sch. 2](#) (with s. 20(2)); S.I. 1999/817, art. 2(b); S.I. 2000/222, art. 3(b); S.I. 2001/98, art. 3(b); S.I. 2009/2858, art. 3(d)

### Modifications etc. (not altering text)

- C7** The text of Sch. 2 paras. 3–5, 8, 9(2), 16, 17 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

### *The Visiting Forces Act, 1952 15 & 16 Geo. 6. & 1 Eliz. 2. c. 66.*

- 17 (1) The following subsections shall be substituted for subsections (1) to (4) of section thirteen:—

**Changes to legislation:** There are currently no known outstanding effects for the Revision of the Army and Air Force Acts (Transitional Provisions) Act 1955. (See end of Document for details)

- “(1) Subject to the provisions of this section, sections one hundred and eighty-six to one hundred and eighty-eight and one hundred and ninety of the Army Act, 1955 (which relate to the apprehension, custody and delivery into military custody of deserters and absentees without leave from the regular forces) shall within the United Kingdom apply in relation to deserters and absentees without leave from the forces of any country to which this section applies as they apply in relation to deserters and absentees without leave from the regular forces.
- (2) The powers conferred by the said sections one hundred and eighty-six and one hundred and eighty-eight, as applied by the last foregoing subsection, shall not be exercised in relation to a person except in compliance with a request (whether specific or general) of the appropriate authority of the country to which he belongs.
- (3) In sections one hundred and eighty-seven, one hundred and eighty-eight and one hundred and ninety of the Army Act, 1955, as applied by subsection (1) of this section, references to the delivery of a person into military custody shall be construed as references to the handing over of that person to such authority of the country to which he belongs, at such place in the United Kingdom, as may be designated by the appropriate authority of that country”.
- (2) In section fourteen for the words “the Army Act” there shall be substituted the words “Army Act, 1955 ”

**Modifications etc. (not altering text)**

- C8** The text of Sch. 2 paras. 3–5, 8, 9(2), 16, 17 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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F15

**Textual Amendments**

- F15** Sch. 2 paras. 11–14, 18 repealed by [Reserve Forces Act 1980 \(c. 9, SIF 7:2\)](#), s. 157, [Sch. 10 Pt. II](#)

**THIRD SCHEDULE**

Section 4.

**PROVISIONS REPLACING SECTIONS 174 AND 174A OF ARMY AND AIR FORCE ACTS**

*Entertainments under Service direction*

- 1 (1) So much of any Act as operates to prohibit as respects particular days, or otherwise to restrict or regulate, the keeping, opening or using of premises for purposes of public entertainment or amusement shall not apply to the use, by authority of a Secretary of State . . . , <sup>F16</sup> of any building at a camp, station, or naval establishment, or of any ship, for entertainments or amusements under the direction and control of an officer or committee having official responsibility for such matters.

(2) For the purposes of this paragraph, the expression “public entertainment or amusement” includes public dancing, singing or music, the public performance of stage plays and the giving of cinematograph exhibitions; and in the case of a building or ship which is used for the giving of cinematograph exhibitions, the keeping or storing of films shall be deemed to be part of the use thereof for the giving of exhibitions.

Textual Amendments

F16 Words repealed by S.I. 1964/488

Modifications etc. (not altering text)

C9 Sch. 3 para. 1 extended by S.I. 1965/1536

C10 Sch. 3 para. 1 extended by Greater Manchester Act 1981 (c. ix), s. 114(1)

2

F17

Textual Amendments

F17 Sch. 3 para. 2 repealed by Statute Law (Repeals) Act 1977 (c. 18), s. 1(1), Sch. 1 Pt. I

F18F18

FOURTH SCHEDULE

Textual Amendments

F18 Sch. 4 repealed by Statute Law (Repeals) Act 1974 (c. 22), Sch. Pt. XI

F18

**Changes to legislation:**

There are currently no known outstanding effects for the Revision of the Army and Air Force Acts (Transitional Provisions) Act 1955.