



# Visiting Forces (British Commonwealth) Act 1933

## 1933 CHAPTER 6

### **4 Attachment of personnel and mutual powers of command**

- (1) The forces, other than home forces, to which this section applies are the naval, military and air forces of His Majesty raised in the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, the Irish Free State or Newfoundland.
- (2) The Admiralty, Army Council or Air Council, as the case may be—
  - (i) may attach temporarily to a home force any member of another force to which this section applies who is placed at their disposal for the purpose by the service authorities of that part of the Commonwealth to which the other force belongs;
  - (ii) subject to anything to the contrary in the conditions applicable to his service, may place any member of a home force at the disposal of the service authorities of another part of the Commonwealth for the purpose of being attached temporarily by those authorities to a force to which this section applies belonging to that part of the Commonwealth.
- (3) Whilst a member of another force is by virtue of this section attached temporarily to a home force, he shall be subject, as the case may be, to the Naval Discipline Act, or to military law as an officer or soldier, or to the Air Force Act as an officer or airman, in like manner, and shall be treated and shall have the like powers of command and punishment over members of the home force to which he is attached, as if he were a member of that force of relative rank:

Provided that His Majesty may by Order in Council direct that in relation to members of a force of any part of the Commonwealth specified in the Order, the Naval Discipline Act, the Army Act or the Air Force Act, as the case may be, shall apply with such exceptions and subject to such adaptations and modifications as may be so specified.

- (4) When a home force and another force to which this section applies are serving together, whether alone or not—

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*Status: This is the original version (as it was originally enacted).*

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- (a) any member of the other force shall be treated and shall have over members of the home force the like powers of command as if he were a member of the home force of relative rank; and
  - (b) if the forces are acting in combination, any officer of the other force appointed by His Majesty, or in accordance with regulations made by or by authority of His Majesty, to command the combined force, or any part thereof, shall be treated and shall have over members of the home force the like powers of command and punishment and may be invested with the like authority to convene, and confirm the findings and sentences of, courts martial as if he were an officer of the home force of relative rank and holding the same command.
- (5) For the purposes of this section, forces shall be deemed to be serving together or acting in combination if and only if they are declared to be so serving or so acting by order of the Admiralty, the Army Council or the Air Council, according as the home force is a naval, a military or an air force, and the relative rank of members of the home forces and of other forces shall be such as may be prescribed by Regulations made by His Majesty.