
STATUTORY INSTRUMENTS

1949 No. 61

ADAPTATION OF ENACTMENTS

**The Army and Air Force (Women'S Service)
(Adaptation of Enactments) Order, 1949**

Made - - - - 28th January 1949

At the Court at Sandringham, the 28th day of January, 1949

Present

The King's Most Excellent Majesty in Council

Whereas by subsection (2) of section three of the Army and Air Force (Women's Service) Act, 1948, His Majesty is empowered by Order in Council to make provision for adaptations and modifications of enactments appearing to him to be requisite in consequence of the provisions of the said Act or of things done thereunder:

And Whereas it appears to His Majesty to be requisite in consequence of the provisions of the said Act that the enactments referred to in the Schedule to this Order should have effect subject to the adaptations and modifications hereinafter provided:

And Whereas a draft of this Order has been laid before Parliament in accordance with the provisions of the said subsection (2) and an Address has been presented to His Majesty by each House of Parliament praying that an Order may be made in the terms of the said draft:

Now, therefore, His Majesty, in the exercise of the said powers and of all other powers enabling him in that behalf, is pleased by and with the advice of His Privy Council to order, and it is hereby ordered as follows:—

1. This Order may be cited as the Army and Air Force (Women's Service) (Adaptation of Enactments) Order, 1949.

2.—(1) The enactments referred to in the Schedule to this Order shall have effect subject to the adaptations and modifications specified in the said Schedule.

(2) References in any enactment to any enactment referred to in the said Schedule shall be construed as references to the enactment so referred to as it has effect by virtue of this Order.

Edward Ford

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THE SCHEDULE

PART I

THE ARMY ACT AND THE AIR FORCE ACT

The Army Act

At the end of section one hundred and seventy-six A of the Army Act (which provides for the application of the Act to women's forces) there shall be added the following subsection:—

“(2) In relation to women members of any land force raised under the Army and Air Force (Women's Service) Act, 1948, this Act shall have effect subject to the following modifications:—

- (a) in relation to officers, for references to any rank there shall be substituted references to such relative rank as may be specified by regulations made by His Majesty;
- (b) so much of sections forty-four and forty-six as provide for the awarding of field punishment shall not apply;
- (c) in sections one hundred and thirty-seven, one hundred and thirty-eight and one hundred and forty-four A to one hundred and forty-five A references to a wife shall be construed as references to a husband”.

The Air Force Act

The foregoing provisions of this Part of this Schedule shall apply in relation to the Air Force Act as they apply in relation to the Army Act, but with the substitution for the reference to a land force of a reference to an air force.

PART II

OTHER ENACTMENTS

The Pensions and Yeomanry Pay Act, 1884 (47 & 48 Vict. c. 55)

In section four, after the word “widow” there shall be inserted the word “widower”.

The Regimental Debts Act, 1893 (56 & 57 Vict. c. 5)

In section twenty-four in paragraph (a) after the word “wife” there shall be inserted the words “or husband”.

The Stamp Act, 1891 (54 & 55 Vict. c. 39)

In the First Schedule, after the word “widow” in the first of the exemptions specified under the description “BOND on obtaining letters of administration in England or Ireland, or a confirmation of testament in Scotland”, there shall be inserted the word “widower”.

Finance Act, 1924 (14 & 15 Geo. 5, c. 21)

In section thirty-eight, at the end of subsection (1) there shall be inserted the following words:—

“Provided that the relief to be given under this subsection in the case of a married woman who is a member of any force raised under the Army and Air Force (Women's Service) Act, 1948, and whose husband survives her shall be calculated as if in the enactments referred to in the foregoing provisions of this subsection any reference to a widow included a reference to a surviving husband.”

The Disabled Persons (Employment) Act, 1944 (7 & 8 Geo. 6, c. 10)

In section sixteen at the end of paragraph (b) there shall be added the words “or in any force raised and maintained under the Army and Air Force (Women's Service) Act, 1948”

The Reinstatement in Civil Employment Act, 1944 (7 & 8 Geo. 6, c. 15)

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The Reinstatement in Civil Employment Act, 1944, as amended by section fifty-nine of the National Service Act, 1948, shall apply to women who were on the eighteenth day of July, nineteen hundred and forty-seven, performing whole-time service in any of the capacities mentioned in the First Schedule to the Reinstatement in Civil Employment Act, 1944, and who have thereafter performed whole-time service as a member of any force raised and maintained under the Army and Air Force (Women's Service) Act, 1948, as if the capacity of a member of a force so raised and maintained were one of the capacities mentioned in the said First Schedule.