



Armed Forces Act 1971

1971 CHAPTER 33

PART I

DURATION OF SERVICES ACTS

1^{F1}

Textual Amendments

F1 S. 1 repealed by [Armed Forces Act 1976 \(c. 52, SIF 7:1\)](#), ss. 1(5), 22(6), [Sch. 10](#)

PART II

REVISION OF SERVICE OFFENCES AND PUNISHMENTS

Misconduct in action and other offences arising out of military etc. service

F2 **Misconduct in action, assisting the enemy, obstructing operations, etc.**

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Textual Amendments

F2 Ss. 2-25 repealed (28.3.2009 for specified purposes) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), [Sch. 17](#); [S.I. 2009/812](#), art. 3(a)(b) (with transitional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](#))

F3 **Prize offences.**

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Status: Point in time view as at 31/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 1971. (See end of Document for details)

Textual Amendments

F2 Ss. 2-25 repealed (28.3.2009 for specified purposes) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), [Sch. 17](#); [S.I. 2009/812](#), [art. 3\(a\)\(b\)](#) (with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](#))

F²4 Offences by or in relation to sentries, persons on watch etc.

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Textual Amendments

F2 Ss. 2-25 repealed (28.3.2009 for specified purposes) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), [Sch. 17](#); [S.I. 2009/812](#), [art. 3\(a\)\(b\)](#) (with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](#))

F²5 Failure to attend for duty, neglect of duty etc.

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Textual Amendments

F2 Ss. 2-25 repealed (28.3.2009 for specified purposes) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), [Sch. 17](#); [S.I. 2009/812](#), [art. 3\(a\)\(b\)](#) (with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](#))

F²6 Looting

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Textual Amendments

F2 Ss. 2-25 repealed (28.3.2009 for specified purposes) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), [Sch. 17](#); [S.I. 2009/812](#), [art. 3\(a\)\(b\)](#) (with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](#))

Mutiny, insubordination, etc.

F²7 Mutiny

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Textual Amendments

F2 Ss. 2-25 repealed (28.3.2009 for specified purposes) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), [Sch. 17](#); [S.I. 2009/812](#), [art. 3\(a\)\(b\)](#) (with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](#))

F²8 Insurbodinate behaviour, and disobedience to lawful commands.

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Status: Point in time view as at 31/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 1971. (See end of Document for details)

Textual Amendments

F2 Ss. 2-25 repealed (28.3.2009 for specified purposes) 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](#))

F²9 Obstruction of provost officers etc.

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Textual Amendments

F2 Ss. 2-25 repealed (28.3.2009 for specified purposes) 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](#))

F²10 Disobedience to standing orders etc.

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Textual Amendments

F2 Ss. 2-25 repealed (28.3.2009 for specified purposes) 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](#))

Desertion, absence without leave, etc.

F²11 Desertion.

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Textual Amendments

F2 Ss. 2-25 repealed (28.3.2009 for specified purposes) 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](#))

F²12 Absence without leave.

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Textual Amendments

F2 Ss. 2-25 repealed (28.3.2009 for specified purposes) 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](#))

F²13 Failure to report or apprehend deserters or absentees.

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Status: Point in time view as at 31/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 1971. (See end of Document for details)

Textual Amendments

F2 Ss. 2-25 repealed (28.3.2009 for specified purposes) 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](#))

Malingering, drunkenness and disorderly conduct

F214 Malingering.

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Textual Amendments

F2 Ss. 2-25 repealed (28.3.2009 for specified purposes) 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](#))

F215 Drunkenness.

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Textual Amendments

F2 Ss. 2-25 repealed (28.3.2009 for specified purposes) 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](#))

F216 Disorderly conduct.

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Textual Amendments

F2 Ss. 2-25 repealed (28.3.2009 for specified purposes) 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](#))

Offences relating to service etc. property

F217 Service etc. property: damage, loss, misapplication and waste.

[^{F2}(1) The following provisions shall be substituted for sections 44 to 46 of the Army Act 1955:—

“ Damage to, and loss of, public or service property etc.

- (1) Any person subject to military law who—
 - (a) wilfully damages or causes the loss of, or service is concerned in the wilful damage or loss property of, any public or service property, or any etc. property belonging to another person so subject, or

Status: Point in time view as at 31/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 1971. (See end of Document for details)

(b) by wilful neglect causes or allows damage to, or the loss of, any public or service property or property so belonging,
shall, on conviction by court-martial, be liable to imprisonment or any less punishment provided by this Act.

- (2) Any person subject to military law who—
- (a) by any negligent act or omission causes or allows damage to, or the loss of, any public or service property, or
 - (b) is guilty of any wilful or negligent act or omission which is likely to cause damage to, or the loss of, any such property,
- shall, on conviction by court-martial, be liable to imprisonment for a term not exceeding two years or any less punishment provided by this Act.

Damage to, loss of, Her Majesty's aircraft or aircraft material.

- (1) Without prejudice to the generality of section 44 above, a person subject to military law shall be guilty of an offence against this section if he—
- (a) wilfully damages or causes the loss of, or is material. concerned in the wilful damage or loss of, any of Her Majesty's aircraft or aircraft material, or
 - (b) by wilful neglect causes or allows damage to, or the loss of, any of Her Majesty's aircraft or aircraft material, or
 - (c) without lawful authority disposes of any of Her Majesty's aircraft or aircraft material, or
 - (d) by any negligent act or omission causes or allows damage to, or the loss of, any of Her Majesty's aircraft or aircraft material, or
 - (e) is guilty of any wilful or negligent act or omission which is likely to cause damage to, or the loss of, any of Her Majesty's aircraft or aircraft material, or
 - (f) during a state of war, wilfully and without proper occasion, or negligently, causes the sequestration by or under the authority of a neutral state, or the destruction in a neutral state, of any of Her Majesty's aircraft.
- (2) A person guilty of an offence against this section shall, on conviction by court-martial, be liable—
- (a) if his offence consisted in an act or omission falling within paragraph (a), (b) or (c) of subsection (1), or if it consisted in an act or omission falling within paragraph (f) of that subsection and it is proved that he acted wilfully or with wilful neglect, to imprisonment or any less punishment provided by this Act;
 - (b) in any other case, to imprisonment for a term not exceeding two years or any less punishment provided by this Act.

Misapplication and waste of public or service property.

Any person subject to military law who misapplies or wastefully expends any public or service property shall, on conviction by court-martial, be liable to imprisonment for a term not exceeding two years or any less punishment provided by this Act.

Status: Point in time view as at 31/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 1971. (See end of Document for details)

Offences relating to issues and decorations.

- (1) Any person subject to military law makes away with (whether by pawning, selling, destroying or in any other way), or loses, or by negligence damages or allows to be damaged—
 - (a) any clothing, arms, ammunition or other equipment issued to him for his use for military purposes, or
 - (b) any military, air-force or naval decoration granted to him,
 shall, on conviction by court-martial, be liable to imprisonment for a term not exceeding two years or any less punishment provided by this Act.
- (2) It shall be a defence for a person charged under this section with losing any property that he took reasonable steps for its care and preservation.”]
- (2) The provisions set out in subsection (1) above shall also be substituted for sections 44 to 46 of the Air Force Act 1955, but modified for that purpose by the substitution throughout of “air-force law” for “military law” and, in the provision to become section 46 of that Act, of “air-force purposes” for “military purposes” and “air-force, military or naval decoration” for “military, air-force or naval decoration”.
- (3) The provisions set out in subsection (1) above and numbered there as sections 44, 44A and 45 shall also be substituted for sections 29 and 30 of the Naval Discipline Act 1957, being numbered as sections 29, 29A and 30 of that Act respectively, and being modified for that purpose by the substitution throughout of “person subject to this Act” for “person subject to military law” and of “punishment authorised by this Act” for “punishment provided by this Act”, by the substitution, in the provision to become section 29A, of “29” for “44”, and by the omission throughout of “on conviction by court-martial”.

Textual Amendments
F2 Ss. 2-25 repealed (28.3.2009 for specified purposes) 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](#))

Billeting offences

F2 18 Billeting offences.

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Textual Amendments
F2 Ss. 2-25 repealed (28.3.2009 for specified purposes) 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](#))

Status: Point in time view as at 31/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 1971. (See end of Document for details)

Navigation and flying offences etc.

F²19 Loss or hazarding of ship.

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Textual Amendments

F2 Ss. 2-25 repealed (28.3.2009 for specified purposes) 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](#))

F²20 Inaccurate certification of ships and aircraft.

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Textual Amendments

F2 Ss. 2-25 repealed (28.3.2009 for specified purposes) 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](#))

F²21 Low flying and annoyance by flying.

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Textual Amendments

F2 Ss. 2-25 repealed (28.3.2009 for specified purposes) 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](#))

Offences relating to, and by, persons in custody

F²22 Permitting escape, resisting arrest, and escaping.

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Textual Amendments

F2 Ss. 2-25 repealed (28.3.2009 for specified purposes) 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](#))

Miscellaneous offences

F²23 Offences in relation to courts-martial.

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Status: Point in time view as at 31/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 1971. (See end of Document for details)

Textual Amendments

F2 Ss. 2-25 repealed (28.3.2009 for specified purposes) 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)

F²24 Unauthorised disclosure of information.

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Textual Amendments

F2 Ss. 2-25 repealed (28.3.2009 for specified purposes) 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)

F²25 False statements on entry into Royal Navy.

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Textual Amendments

F2 Ss. 2-25 repealed (28.3.2009 for specified purposes) 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)

F³26

Textual Amendments

F3 S. 26 repealed (31.1.1997) by [1995 c. 38](#), s. 15(2), [Sch. 2](#) (with ss. 6(4)(5), 14); S.I. 1996/3217, [art. 2](#)

F⁴27 Offences against civilian population.

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Textual Amendments

F4 Ss. 27-48 repealed (28.3.2009 for specified purposes) 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)

F⁴28 Offences against morale.

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Textual Amendments

F4 Ss. 27-48 repealed (28.3.2009 for specified purposes) 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)

Status: Point in time view as at 31/10/2009.

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F⁴29 Scandalous conduct by officers.

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Textual Amendments

- F4** Ss. 27-48 repealed (28.3.2009 for specified purposes) 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](#))

F⁴30 Ill-treatment of persons of inferior rank etc.

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Textual Amendments

- F4** Ss. 27-48 repealed (28.3.2009 for specified purposes) 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](#))

F⁴31 Disgraceful conduct.

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Textual Amendments

- F4** Ss. 27-48 repealed (28.3.2009 for specified purposes) 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](#))

F⁴32 Attempts, aiding and abetting etc., and inciting.

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Textual Amendments

- F4** Ss. 27-48 repealed (28.3.2009 for specified purposes) 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](#))

F⁴33 Conduct to the prejudice of service discipline.

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Textual Amendments

- F4** Ss. 27-48 repealed (28.3.2009 for specified purposes) 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](#))

F⁴34 Civil offences.

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Status: Point in time view as at 31/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 1971. (See end of Document for details)

Textual Amendments

F4 Ss. 27-48 repealed (28.3.2009 for specified purposes) 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)

Abolition of certain offences

F435 Abolition of certain offences.

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Textual Amendments

F4 Ss. 27-48 repealed (28.3.2009 for specified purposes) 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)

Punishments

F436 Punishments for army and air-force offences dealt with courts-martial.

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Textual Amendments

F4 Ss. 27-48 repealed (28.3.2009 for specified purposes) 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)

F437 Punishments for army and air-force offences dealt with summarily.

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Textual Amendments

F4 Ss. 27-48 repealed (28.3.2009 for specified purposes) 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)

F438 Punishments for naval offences.

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Textual Amendments

F4 Ss. 27-48 repealed (28.3.2009 for specified purposes) 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)

Status: Point in time view as at 31/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 1971. (See end of Document for details)

F⁴39 Imprisonment and detention: consecutive terms.

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Textual Amendments

- F4** Ss. 27-48 repealed (28.3.2009 for specified purposes) 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](#))

F⁴40 Detention for army and air-force offences: limitation of total period.

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Textual Amendments

- F4** Ss. 27-48 repealed (28.3.2009 for specified purposes) 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](#))

Other provisions

F⁴41 Time for trial of offences under s. 42 of Naval Discipline Act 1957.

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Textual Amendments

- F4** Ss. 27-48 repealed (28.3.2009 for specified purposes) 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](#))

F⁴42 Naval offences by civilians.

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Textual Amendments

- F4** Ss. 27-48 repealed (28.3.2009 for specified purposes) 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](#))

F⁴43 Consequential and minor, amendments.

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Textual Amendments

- F4** Ss. 27-48 repealed (28.3.2009 for specified purposes) 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](#))

Status: Point in time view as at 31/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 1971. (See end of Document for details)

PART III

REVISION OF PROCEDURAL PROVISIONS, AND OTHER MATTERS RELATING TO SERVICE OFFENCES AND PUNISHMENTS

F⁴44 Arrest by civil authorities.

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Textual Amendments

- F4** Ss. 27-48 repealed (28.3.2009 for specified purposes) 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](#))

F⁴45 Exclusion of enactments requiring fiat of Attorney General etc. in connection with proceedings.

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Textual Amendments

- F4** Ss. 27-48 repealed (28.3.2009 for specified purposes) 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](#))

F⁴46 Extension of powers of “higher authority” with respect to army and air-force charges.

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Textual Amendments

- F4** Ss. 27-48 repealed (28.3.2009 for specified purposes) 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](#))

F⁴47 Amendments as to summary trial for naval offences.

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Textual Amendments

- F4** Ss. 27-48 repealed (28.3.2009 for specified purposes) 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](#))

F⁴48 Amendments as to convening or ordering of court-martial.

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Status: Point in time view as at 31/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 1971. (See end of Document for details)

Textual Amendments

F4 Ss. 27-48 repealed (28.3.2009 for specified purposes) 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)

49 Amendments as to procedure of courts-martial, and evidence in naval disciplinary courts.

^{F5}(1)

^{F5}(2)

(3) Section 6(1) of the ^{M1}Criminal Evidence Act 1898 (which applies that Act to all criminal proceedings, including proceedings in courts-martial) shall be amended by inserting after the words “courts-martial” the words “under the Army Act 1955 and the Air Force Act 1955, and proceedings in courts-martial and disciplinary courts under the Naval Discipline Act 1957”.

Textual Amendments

F5 S. 49(1)(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; S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, art. 4

Modifications etc. (not altering text)

C1 The text of ss. 2–25, 27–32, 34–50, 52, 53, 55–63, 65, 66, 68, 70–75, 77(1), Schs. 2, 4 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.

Marginal Citations

M1 1898 c. 36.

^{F6}50 Army and air force courts-martial: amendments as to revision and confirmation of findings.

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Textual Amendments

F6 Ss. 50-68 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

^{F6}51 Naval findings and sentences: amendments as to reviewing authorities.

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Status: Point in time view as at 31/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 1971. (See end of Document for details)

Textual Amendments

F6 Ss. 50-68 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

F652 Countries for serving of naval sentences of imprisonment and detention.

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Textual Amendments

F6 Ss. 50-68 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

F653 Commencement of naval sentences of imprisonment and detention.

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Textual Amendments

F6 Ss. 50-68 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

F654 Remission of sentences of imprisonment and detention.

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Textual Amendments

F6 Ss. 50-68 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

F655 Amendment of Naval Discipline Act 1957 as respects effect of taking offences into consideration.

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Textual Amendments

F6 Ss. 50-68 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

Status: Point in time view as at 31/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 1971. (See end of Document for details)

F⁶56 Amendments as to deserters and absentees without leave.

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Textual Amendments

F6 Ss. 50-68 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

F⁶57 Addition to Naval Discipline Act 1957 of provisions as to proof of proceedings.

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Textual Amendments

F6 Ss. 50-68 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

F⁶58 Fees for copies of proceedings of army and air-force courts-martial.

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Textual Amendments

F6 Ss. 50-68 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

PART IV

FORFEITURE OF PAY ETC. AND DEDUCTIONS FROM PAY

F⁶59 Army and air force : new provisions for deductions in respect of judgement debts etc.

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Textual Amendments

F6 Ss. 50-68 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

F⁶60 Navy: amendments as to forfeitures for illegal absence.

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Status: Point in time view as at 31/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 1971. (See end of Document for details)

Textual Amendments

F6 Ss. 50-68 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

F6 61 Navy: new provisions as to forfeitures and deductions generally, and as to deductions for civil penalties, judgement debts etc.

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Textual Amendments

F6 Ss. 50-68 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

F6 62 Amendments of provisions as to service of process in maitenance proceedings.

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Textual Amendments

F6 Ss. 50-68 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

PART V

MISCELLANEOUS AMENDMENTS

F6 63 Minimum age for enlistment or entry without parental etc. consent.

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Textual Amendments

F6 Ss. 50-68 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

F6 64 Purchase of discharge from army and air force.

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Status: Point in time view as at 31/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 1971. (See end of Document for details)

Textual Amendments

F6 Ss. 50-68 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

^{F6}65 Forefeiture of service for naval deserters.

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Textual Amendments

F6 Ss. 50-68 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

^{F6}66 Redress of complaints.

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Textual Amendments

F6 Ss. 50-68 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

^{F6}67 Naval billeting and requisitioning.

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Textual Amendments

F6 Ss. 50-68 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

^{F6}68 Reductions in rank under Army Act 1955 and Air Force Act 1955.

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Textual Amendments

F6 Ss. 50-68 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

Status: Point in time view as at 31/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 1971. (See end of Document for details)

69 (1) F7

Textual Amendments

F7 S. 69(1)(2) repealed by Reserve Forces Act 1980 (c. 9, SIF 7:2), s. 157, **Sch. 10 Pt. II**

F870 **Taking of affidavits and declarations abroad.**

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Textual Amendments

F8 Ss. 70-72 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

F871 **Addition to Naval Discipline Act 1957 of provision indemnifying prison officers etc.**

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Textual Amendments

F8 Ss. 70-72 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

F872 **Application of Army Act 1955 and Air Force Act 1955 to passengers in H.M. ships and aircraft.**

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Textual Amendments

F8 Ss. 70-72 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

73 **Appeal against sentence by civilians.**

(1) The ^{M2}Courts-Martial (Appeals) Act 1968 (under which appeals to the Courts-Martial Appeal Court are confined to appeals against conviction) shall be amended in accordance with subsections (2) and (3) below.

(2) In section 8—

(a) at the end of subsection (1) (which confers the right of appeal) there shall be added the words “and, if he was a civilian (as defined in subsection (5) below) both at the time of his conviction and when the offence was committed, may

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also with the leave of the Court appeal against his sentence, unless it is one fixed by law”, and

(b) the following subsection shall be added after subsection (4)—

“(5) In this section “civilian” means any person who is not subject to service law (meaning military law, air-force law and the Naval Discipline Act) and any person within section 208A or 209 of the Army Act, section 208A or 209 of the Air Force Act or section 117 or 118 of the Naval Discipline Act (which apply certain provisions of those Acts to passengers in Her Majesty’s ships and aircraft, persons employed by or accompanying Her Majesty’s forces, families of members of those forces etc.).”

^{F9}(3)

(4) The provisions of Schedule 2 to this Act shall have effect, being provisions making in the said Act of 1968 and the other enactments there specified amendments consequential on, or otherwise connected with, the preceding provisions of this section.

Textual Amendments

F9 S. 73(3) 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

Modifications etc. (not altering text)

C2 The text of ss. 2–25, 27–32, 34–50, 52, 53, 55–63, 65, 66, 68, 70–75, 77(1), Schs. 2, 4 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.

Marginal Citations

M2 1968 c. 20.

^{F10}**74** **Meaning of “active service” in Naval Discipline Act 1957.**

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Textual Amendments

F10 S. 74 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

75 **Amendments for introducing naval rate, and marine rank, of warrant officer.**

The enactments specified in Schedule 3 to this Act shall have effect subject to the amendments specified in that Schedule, being amendments connected with the introduction of the naval rate, and the marine rank, of warrant officer.

Status: Point in time view as at 31/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 1971. (See end of Document for details)

Modifications etc. (not altering text)

C3 The text of ss. 2–25, 27–32, 34–50, 52, 53, 55–63, 65, 66, 68, 70–75, 77(1), Schs. 2, 4 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.

^{F11}76 Sufficiency of evidence in Scottish courts.

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Textual Amendments

F11 [S. 76](#) 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

PART VI

SUPPLEMENTAL

77 Repeals and transitional provisions.

(1) The enactments specified in Schedule 4 to this Act (Part II of which includes certain enactments which are spent) are hereby repealed to the extent specified in column 3 of that Schedule.

^{F12}(2)

Textual Amendments

F12 [S. 77\(2\)](#) 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

Modifications etc. (not altering text)

C4 The text of ss. 2–25, 27–32, 34–50, 52, 53, 55–63, 65, 66, 68, 70–75, 77(1), Schs. 2, 4 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.

78 Short title, construction and commencement.

- (1) This Act may be cited as the Armed Forces Act 1971.
- (2) Except so far as the context otherwise requires, any reference in this Act to any other enactment is a reference to that enactment as amended by or under any subsequent enactment, including an enactment contained in this Act.

Status: Point in time view as at 31/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 1971. (See end of Document for details)

- (3) This Act, except section 1 and this section, shall come into force on such date as the Secretary of State may by order made by statutory instrument appoint, but subject to the qualifications specified in subsection (4) below.
- (4) The said qualifications are as follows:—
- (a) the following provisions of this Act, that is to say, Part II, section 69, Schedule 1 and Part I of Schedule 4, shall not have effect in relation to any act or omission occurring before the date appointed under subsection (3) above, and, in particular, shall not affect the operation of any enactment in force immediately before that date in relation to any offence against any such enactment committed, or partly committed, before that date;
 - (b) the provisions to become sections 128B and 128C of the ^{M3}Naval Discipline Act 1957 by virtue of section 61(1) of this Act shall apply only to sums payable under sentences and orders awarded or made in respect of offences committed on or after the date appointed under subsection (3) above, or, as the case may be, to loss or damage occasioned by acts and omissions occurring on or after that date;
 - (c) the provision to become section 129D of the ^{M4}Naval Discipline Act 1957 by virtue of section 65 of this Act shall apply only to desertions beginning on or after the date appointed under subsection (3) above, and the amendment of section 75(1) of that Act effected by section 60 of this Act and Part II of Schedule 4 shall have effect only in relation to absences so beginning.
- (5) Section 59 of this Act, the provision to become section 128E of the ^{M5}Naval Discipline Act 1957 by virtue of section 61(1) of this Act, and section 61(2) of this Act, shall each apply to liabilities arising before, as well as after, the date appointed under subsection (3) above.

Marginal Citations

M3 1957 c. 53.

M4 1957 c. 53.

M5 1957 c. 53.

Status:

Point in time view as at 31/10/2009.

Changes to legislation:

There are currently no known outstanding effects for the Armed Forces Act 1971.