

Status: Point in time view as at 28/03/2009.

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

F1 SCHEDULE 1

Section 43.

Textual Amendments

F1 Sch. 1 repealed (28.3.2009 for specified purposes) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), [Sch. 17](#); S.I. 2009/812, art. 3(a)(b) (with transitional provisions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)

SCHEDULE 2

Section 73.

AMENDMENTS ABOUT APPEALS AGAINST SENTENCE

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The text of ss. 2–25, 27–32, 34–50, 52, 53, 55–63, 65, 66, 68, 70–75, 77(1), Schs. 2, 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Courts-Martial (Appeals) Act 1968

1 (1) The M1 *Courts-Martial (Appeals) Act 1968* shall be amended as follows.

F2(2)

F2(3)

F2(4)

F2(5)

(6) In section 31(1), after the words “an appeal” there shall be inserted the words “other than an appeal against sentence”.

(7) In section 34, the words “under subsection (1) above” shall be substituted for the words “this section” in subsection (2), and the following subsection shall be added after subsection (3):—

“(4) Where a person convicted by court-martial is a civilian as defined in section 8(5) of this Act, the Secretary of State may, if consideration thereof by the Appeal Court appears to him for any reason desirable, refer the sentence of the court-martial to the Court; and any such reference shall be treated as an appeal by the person convicted against sentence for all purposes except those of section 32 of this Act”.

F3(8)

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Textual Amendments

- F2** Sch. 2 para. 1(2)-(5) repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), **Sch. 17**; S.I.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
- F3** Sch. 2 para. 1(8) repealed (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), s. 110(1), **Sch. 10**; S.I. 2005/910, art. 3(aa)

Marginal Citations

- M1** 1968 c. 20.

The Army Act 1955 and the Air Force Act 1955

2 **F4**

Textual Amendments

- F4** Sch. 2 para. 2 repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), **Sch. 17**; S.I.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

The Naval Discipline Act 1957

F53

Textual Amendments

- F5** Sch. 2 para. 3 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)

SCHEDULE 3

Section 75.

AMENDMENTS FOR INTRODUCING NAVAL RATE,
AND MARINE RANK, OF WARRANT OFFICER

Modifications etc. (not altering text)

- C2** The text of ss. 26, 33, 54, 67(3), 76, Schs. 1, 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

The Naval and Marine Pay and Pensions Act 1865

1 Section 2 of the ^{M2} Naval and Marine Pay and Pensions Act 1865 shall be amended by inserting, in the definition of “seaman or marine” the words “warrant officer” immediately before the words “petty officer”, and the words “warrant or” immediately before the words “non-commissioned officer”.

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Marginal Citations

M2 [1865 c. 73.](#)

The Greenwich Hospital Act 1865

- 2 In section 5 of the ^{M3} Greenwich Hospital Act 1865, immediately before the words “non-commissioned officers”, in both places where they occur, there shall be inserted the words “warrant officers”.

Marginal Citations

M3 [1865 c. 89.](#)

The Navy and Marines (Property of Deceased) Act 1865

- 3 Section 2 of the ^{M4} Navy and Marines (Property of Deceased) Act 1865 shall be amended by inserting, in the definition of “seaman or marine”, the words “warrant officer” immediately before the words “petty officer” in both places where they occur, and the words “warrant or” immediately before the words “non-commissioned officer”.

Marginal Citations

M4 [1865 c. 111](#)

The Army Act 1955

- ^{F64}

Textual Amendments

F6 [Sch. 3 para. 4](#) 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)

The Naval Discipline Act 1957

- ^{F75}

Textual Amendments

F7 [Sch. 3 para. 5](#) 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)

The Reserve Forces Act 1966

- 6 ^{F8}

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Textual Amendments

F8 Sch. 3 para. 6 repealed by Reserve Forces Act 1980 (c. 9, SIF 7:2), s. 157, **Sch. 10 Pt. II**

The Armed Forces Act 1966

F97

Textual Amendments

F9 Sch. 3 para. 7 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)

SCHEDULE 4

Section 77(1)

REPEALS

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.

Section 77(1).

PART I
 REPEALS ARISING FROM PART II OF THIS ACT

Chapter	Short Title	Extent of Repeal
3 & 4 Eliz. 2, c. 18.	The Army Act 1955.	In section 31(1)(a), the words "involving the use of violence or the threat of the use of violence, or"; and in section 31(b), the words from "and in this section" to the end. Sections 40 and 41. Section 53. In section 57(2), the words "paragraph (e) or (f) of". Section 58. In section 62, in paragraphs (a) and (b), the word "service" in each place where it occurs before the word "report"; paragraph (d), and the word "or" immediately preceding that paragraph. Section 67. In section 69, the word "act".

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Chapter	Short Title	Extent of Repeal
3 & 4 Eliz. 2, c. 18— <i>cont.</i>	The Army Act 1955— <i>cont.</i>	In section 70(3), the proviso. Section 74(3). In section 81, subsection (3) and paragraph (a) of subsection (4). In section 118(1), the words “ or a sentence of field punishment ”. In section 120(5), the proviso. In section 135(5), the words “ for an offence against section fifty-eight of this Act or ”. In section 138(1), the words “ fraudulently misapplying it ”. In section 145(2)(c), the words “ disobedience to orders or ”. In section 152(2), the words “ by or ”. In section 211, subsection (3) and, in subsection (4), the words “ Paragraph (b) of subsection (2) of section thirty-seven ”. In section 213, paragraph (6). In Schedule 3, in paragraph 1, the words “ either with intent to assist the enemy or without authority ”; and paragraphs 5 and 8. In Schedule 6, paragraph 1(2); and, in paragraph 1(3), the words from “ references to cashiering ” to “ Her Majesty’s service ” and all the words after “ Naval Discipline Act ”. In Schedule 7, paragraphs 12 and 12A.
3 & 4 Eliz. 2, c. 19.	The Air Force Act 1955.	In section 31(1)(a), the words “ involving the use of violence or the threat of the use of violence, or ”; and in section 31(3), the words from “ and in this section ” to the end. Sections 40 and 41. In section 43(1), the proviso. Section 53. In section 57(2), the words “ paragraph (e) or (f) of ”. Section 58. In section 62, in paragraphs (e) and (f), the word “ service ” in each place where it occurs before the word “ report ”; paragraph (g), and the word “ or ” immediately preceding that paragraph. Section 67. In section 69, the word “ act ”. In section 70(3), the proviso. Section 75(3).

Chapter	Short Title	Extent of Repeal
3 & 4 Eliz. 2, c. 19— <i>cont.</i>	The Air Force Act 1955— <i>cont.</i>	In section 81, subsection (3) and paragraph (a) of subsection (4). In section 118(1), the words “ or a sentence of field punishment ”. In section 120(5), the proviso. In section 135(5), the words “ for an offence against section fifty-eight of this Act or ”. In section 138(1), the words “ fraudulently misapplying it ”. In section 145(2)(c), the words “ disobedience to orders or ”. In section 152(2), the words “ by or ”. In section 210, subsection (3) and, in subsection (4), the words “ Paragraph (b) of subsection (2) of section thirty-seven ”. In section 211, paragraph (6). In Schedule 3, in paragraph 1, the words “ either with intent to assist the enemy or without authority ”; and paragraphs 5 and 8. In Schedule 6, paragraph 1(2); and, in paragraph 1(3), the words from “ references to cashiering ” to “ Her Majesty’s service ” and all the words after “ Naval Discipline Act ”. Section 91(1)(a), and, in section 9(2), the words “ for any term ”. In section 10, the words “ for any term ”. In section 13(a), the words “ or quarrels ”. In section 14, the word “ willfully ” (twice). In section 16(1), the words “ for any term ”; and subsection (3). In section 17, in subsection (1), the words “ without being guilty of desertion ” and the words “ or place of duty ”; and subsection (2). In section 19, paragraph (b) and the word “ or ” immediately preceding that paragraph, and the words “ for any term ”. In section 20(a), the words “ for any term ”. Section 26. In section 39, the words “ not described in the foregoing provisions of this Act ”. In section 47(2), the words “ or place of duty ”.
5 & 6 Eliz. 2, c. 53.	The Naval Discipline Act 1957.	Section 91(1)(a), and, in section 9(2), the words “ for any term ”. In section 10, the words “ for any term ”. In section 13(a), the words “ or quarrels ”. In section 14, the word “ willfully ” (twice). In section 16(1), the words “ for any term ”; and subsection (3). In section 17, in subsection (1), the words “ without being guilty of desertion ” and the words “ or place of duty ”; and subsection (2). In section 19, paragraph (b) and the word “ or ” immediately preceding that paragraph, and the words “ for any term ”. In section 20(a), the words “ for any term ”. Section 26. In section 39, the words “ not described in the foregoing provisions of this Act ”. In section 47(2), the words “ or place of duty ”.

Chapter	Short Title	Extent of Repeal
5 & 6 Eliz. 2, c. 53— <i>cont.</i>	The Naval Discipline Act 1957— <i>cont.</i>	In section 76(1), the words “ fraudulently misapplying it ”. In section 77(1), in paragraphs (a) and (c), the words “ or place of duty ”. In section 109(1)(a), the words “ or place of duty ”. In section 122(3), the words “ paragraph (b) of section twelve ”. In Schedule 2, paragraphs 1 and 2. In Schedule 4, paragraph 2. In Schedule 5, the entry relating to Schedule 7 to the Army Act 1955. In section 13(1), the words from “ or that subsection ” to “ of that Act ”. Sections 18 to 20. Sections 31 to 34. In Schedule 2, the entries relating to section 37(3) of the Army Act 1955 and section 37(3) of the Air Force Act 1955. Section 8(2). In section 15(7), the words “ 53 and ” (twice). Sections 21 and 22. Section 27(1). In section 28(1), the words from “ 37(3)(a) ” to “ engagement ” and “ ”. Section 32.
9 & 10 Eliz. 2, c. 52.	The Army and Air Force Act 1961.	In Part II of Schedule 2, the entries relating to sections 44(1)(b) and 45(b) of the Army Act 1955; in the entry relating to the Air Force Act 1955 the words “ 44, 45 ” and the words from “ excess ” to the end; and the entry relating to section 29(9) of the Naval Discipline Act 1957.
1966 c. 45.	The Armed Forces Act 1966.	In section 15(7), the words “ 53 and ” (twice). Sections 21 and 22. Section 27(1). In section 28(1), the words from “ 37(3)(a) ” to “ engagement ” and “ ”. Section 32.
1968 c. 60.	The Theft Act 1968.	In Part II of Schedule 2, the entries relating to sections 44(1)(b) and 45(b) of the Army Act 1955; in the entry relating to the Air Force Act 1955 the words “ 44, 45 ” and the words from “ excess ” to the end; and the entry relating to section 29(9) of the Naval Discipline Act 1957.

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PART II
OTHER REPEALS

Chapter	Short Title	Extent of Repeal
28 & 29 Vict. c. 73.	The Naval and Marine Pay and Pensions Act 1865.	In section 2, in the definition of "office", the words " warrant, or subordinate " and the words " or assistant engineer ".
28 & 29 Vict. c. 111.	The Naval and Marines (Property of Deceased) Act 1865.	In section 2, in the definition of " office ", the words " warrant, or subordinate " and the words " or assistant engineer ".
4 & 5 Geo. 5. c. 70.	The Naval Billeting & Act 1914.	The whole Act.
10 & 11 Geo. 6. c. 24.	The Naval Forces (Enforcement of Maintenance – Liabilities) Act 1947.	In section 1, paragraph (c) and the proviso.
14 Geo. 6. c. 32.	The Army Reserve Act 1950.	Section 15(3).
14 Geo. 6. c. 33.	The Air Force Reserve Act 1950.	Section 15(3).
1 & 2 Eliz. 2. c. 59.	The Auxiliary Forces Act 1953.	Section 27(4).
3 & 4 Eliz. 2. c. 18.	The Army Act 1955.	In section 113(5)(c), the words " valid for invalid ", Section 114(2), Section 120(8), Section 1501(f), Section 152(3), Section 153(2), Section 153(3).
3 & 4 Eliz. 2. c. 19.	The Air Force Act 1955.	In section 113(5)(c), the words " valid for invalid ", Section 114(2), Section 120(8), Section 1501(f), Section 152(3), Section 153(2), Section 153(3).
3 & 4 Eliz. 2. c. 20.	The Revision of the Army and Air Force Acts (Transitional Provisions) Act 1955.	In Schedule 2, paragraph 6, paragraph 13(8), paragraph 14 (8), and in paragraph 18(4), the words from " in subsection (4) " to the end.
5 & 6 Eliz. 2. c. 53.	The Naval Discipline Act 1957.	In section 53, subsection (4); and, in subsection (5), the words " notwithstanding anything in subsection (4) of this section and ".
9 & 10 Eliz. 2. c. 52.	The Army and Air Force Act 1961.	Section 72(2).
1966 c. 30.	The Reserve Forces Act 1966.	In section 75(1), the words from " and has " to " one month ", Section 85(3), Section 101(3), Section 23.
		In section 21(1), in the definition of " man ", the words " (except in relation to the marine forces) ".

Chapter	Short Title	Extent of Repeal
1970 c. 31.	The Administration of Justice Act 1970.	In section 43(3), the words " by the Courts-Martial Appeal Court " and the words from " in pursuance " to " subsection (6) below "; and subsection (6).

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