

Changes to legislation: Armed Forces Act 1976 is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

^{F1}SCHEDULE 1 **U.K.**

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Textual Amendments

^{F1} Schs. 1-8 repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by Armed Forces Act 2006 (c. 52), s. 383(2), **Sch. 17**; S.I. 2009/812, art.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

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^{F1}SCHEDULE 2 **U.K.**

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^{F1}SCHEDULE 3 **U.K.**

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Textual Amendments

^{F2} Sch. 3 para. 7 repealed (1.4.1997) by 1996 c. 46 , **ss. 5 , 35(2)** , Sch. 1 Pt. IV para. 103(6), Sch. 7 Pt. I; S.I. 1997/304 , **art. 2** (with art. 3)

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Textual Amendments

F3 Sch. 3 para. 17A repealed (11.5.2001) by 2001 c. 19 , s. 38 , **Sch. 7 Pt. V**

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^{F1}SCHEDULE 5 **U.K.**

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^{F1}SCHEDULE 6 **U.K.**

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^{F1}SCHEDULE 7 **U.K.**

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^{F1}SCHEDULE 8 **U.K.**

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SCHEDULE 9 **U.K.**

Section 22.

MISCELLANEOUS AMENDMENTS

Modifications etc. (not altering text)

- C1** The text of ss. 2, 5(1), 9–12, 15, 16, 18, 20, 22(5)(6), Schs. 1, 2, and 4–10 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991

Criminal Evidence Act 1898

- 1 In section 6(1) of the ^{M1} Criminal Evidence Act 1898 after the words “1957” there shall be inserted the words “and in Standing Civilian Courts established under the Armed Forces Act 1976”.

Marginal Citations

- M1** 1898 c. 36.

- 2 ^{F4}

Textual Amendments

- F4** Sch. 9 para. 2 repealed by S.I. 1979/1714 (N.I.19), Sch. 2

Army Act 1955 and Air Force Act 1955

- ^{F53}

Textual Amendments

- F5** Sch. 9 paras. 3-8 repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by Armed Forces Act 2006 (c. 52), s. 383(2), Sch. 17; S.I. 2009/812, art.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

- ^{F54}

Textual Amendments

- F5** Sch. 9 paras. 3-8 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

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Textual Amendments

F5 Sch. 9 paras. 3-8 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

F56

Textual Amendments

F5 Sch. 9 paras. 3-8 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

F57

Textual Amendments

F5 Sch. 9 paras. 3-8 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

F58

Textual Amendments

F5 Sch. 9 paras. 3-8 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

9 **F6**

Textual Amendments

F6 Sch. 9 para. 9 repealed (with saving) by [Armed Forces Act 1981 \(c. 55, SIF 7:1\)](#), s. 28(2), [Sch. 5 Pt. I](#)

Naval Discipline Act 1957

F710

Textual Amendments

F7 Sch. 9 para. 10 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

F811

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Textual Amendments

F8 Sch. 9 para. 11 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

12 **F9**

Textual Amendments

F9 Sch. 9 para. 12 repealed by Armed Forces Act 1981 (c. 55, SIF 7:1), s. 28, Sch. 5 Pt. II

F10 13

Textual Amendments

F10 Sch. 9 para. 13 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

F11 14

Textual Amendments

F11 Sch. 9 para. 14 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

Criminal Justice Act 1967

15 In section 89(1) of the ^{M2} Criminal Justice Act 1967 (false written statements tendered in evidence) after the word "Act" there shall be inserted the words "or in proceedings before a court-martial by virtue of the said section 9 as extended by section 12 above or by section 99A of the Army Act 1955 or section 99A of the Air Force Act 1955".

Marginal Citations

M2 1967 c. 80.

Courts-Martial (Appeals) Act 1968

F12 16

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Textual Amendments

F12 Sch. 9 para. 16 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

F13 17

Textual Amendments

F13 Sch. 9 para. 17 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

Treatment of Offenders Act (Northern Ireland) 1968

18 In section 33(4)(b) of the ^{M3} Treatment of Offenders Act (Northern Ireland) 1968 after the words “court-martial” there shall be inserted the words “or a Standing Civilian Court established under the Armed Forces Act 1976”.

Marginal Citations

M3 1968 c. 29 (N.I.).

19 **F14**

Textual Amendments

F14 Sch. 9 para. 19 repealed by Representation of the People Act 1983 (c. 2, SIF 42), s. 206, Sch. 9

Rehabilitation of Offenders Act 1974

20 (1) In subsection (1) of section 2 of the Rehabilitation of Offenders Act 1974 after the word “awarded” there shall be inserted the words “or order made by virtue of Schedule 5A to the Army Act 1955 or to the Air Force Act 1955 or Schedule 4A to the Naval Discipline Act 1957”.

F15 (2)

(3) The following paragraph shall be inserted after subsection (5)(b) of that section:—
“(bb) any proceedings before a Standing Civilian Court established under the Armed Forces Act 1976 ;”.

(4) In paragraph (d) of section 5(1) of that Act (sentences excluded from rehabilitation) at the end of the paragraph there shall be inserted the words “or a corresponding court-martial punishment”.

(5) The following subsection shall be inserted after that subsection:—
“(IA) In subsection (1)(d) above “corresponding court martial punishment” means a punishment awarded under section 71A(3) or (4) of the Army Act 1955,

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section 71A(3) or (4) of the Air Force Act 1955 or section 43A(3) or (4) of the Naval Discipline Act 1957.”.

Textual Amendments

F15 Sch. 9 para. 20(2) repealed (1.10.1996) 1996 c. 46, s. 35(2), Sch. 7 Pt. III; S.I. 1996/2474, art. 2, Sch.(with art. 3)

21 ^{F16}(1) The following entries shall be made in Table B in subsection (2) of section 5 of that Act (rehabilitation periods for particular sentences):—

(a) after the entry relating to a sentence of Borstal training—

“A custodial order under Schedule 5A to the Army Act 1955 or the Air Force Act 1955, or under Schedule 4A to the Naval Discipline Act 1957, where the maximum period of detention specified in the order is more than six months. Seven years.”;

(b) after the entry relating to an order for detention in a detention centre:—

“A custodial order under any of the Schedules to the said Acts of 1955 and 1957 mentioned above, where the maximum period of detention specified in the order is six months or less. Three years.”.

(2) The following paragraphs shall be added after subsection (5)(f) of that section:—

“(g) a community supervision order under Schedule 5A to the Army Act 1955 or the Air Force Act 1955, or under Schedule 4A to the Naval Discipline Act 1957;

(h) a reception order under any of those Schedules;”.

(3) The following subsection shall be inserted after subsection (10) of that section:—

“(10A) The reference in subsection (5) above to the period during which a reception order has effect includes a reference to any subsequent period during which by virtue of the order having been made the Social Work (Scotland) Act 1968 or the Children and Young Persons Act Northern Ireland) 1968 has effect in relation to the person in respect of whom the order was made and subsection (10) above shall accordingly have effect in relation to any such subsequent period.”]

Textual Amendments

F16 Sch. 9 para. 21 repealed (E.W.) (10.3.2014) by Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), Sch. 25 Pt. 2 (with s. 141(1)-(6)); S.I. 2014/423, art. 2(c) (with art. 3)

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Treatment of Offenders (Northern Ireland) Order 1976

- 22 In Article 2(2) of the ^{M4} Treatment of Offenders (Northern Ireland) Order 1976, in the definition of “court” after the words “court-martial” there shall be inserted the words “ or a Standing Civilian Court established under the Armed Forces Act 1976”.

Marginal Citations

M4 Northern S.I. 1976 No. 226 (N.I.4).

SCHEDULE 10 **U.K.**

Section 22.

REPEALS

Modifications etc. (not altering text)

C2 The text of ss. 2, 5(1), 9–12, 15, 16, 18, 20, 22(5)(6), Schs. 1, 2, and 4–10 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

Chapter	Short Title	Extent of Repeal
55 & 56 Vict. c. 34.	Naval Knights of Windsor (Dissolution) Act 1892.	The whole Act.
4 Eliz. 2. c. 18.	The Army Act 1955.	In section 17(2), the words “except those relating to discharge by purchase”. In section 78(3), in the second proviso, in paragraph (a), the words “fourteen days or, where the offence was committed on active service,” and in paragraph (b) (i), the words “fourteen days or, where the civil offence constituting the offence against that section was committed on active service,”. Section 86(4). In section 93(1), the words “shorthand writer”. In section 225(1), in the definition of “Her Majesty’s forces”, the words “37 and”. In Schedule 7, in paragraph 1, the words from “10” to

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		<p>“and”, in the second place where it occurs, paragraph 5A, and in paragraph 6, the words “sections fourteen and seventeen”.</p>
3 & 4 Eliz. 2. c. 19.	The Air Force Act 1955.	<p>In section 17(2), the words “(except those relating to discharge by purchase)” .</p> <p>In section 78(3), in the second proviso, in paragraph (a), the words “fourteen days or, where the offence was committed on active service,” and in paragraph (b)(i), the words “fourteen days or, where the civil offence constituting the offence against that section was committed on active service,”.</p> <p>Section 86(4).</p> <p>In section 93(1), the words “shorthand writer”.</p> <p>In section 223(1), in the definition of “Her Majesty’s forces”, the words “37 and”.</p>
5 & 6 Eliz. 2. c. 53.	The Naval Discipline Act 1957.	<p>In section 60(1), the words “for the purpose of reporting or transcribing the proceedings or”.</p> <p>Section 76(5).</p> <p>Section 111(5)(a) and (b).</p> <p>Section 113(3).</p>
1966 c. 45.	The Armed Forces Act 1966.	<p>In section 13(1), the words from “and in place” to the end of the subsection.</p> <p>In Schedule 3, paragraph 2.</p>
1971 c. 33.	The Armed Forces Act 1971.	<p>Section 1.</p> <p>In section 67(3), the words from the beginning of the subsection to “have effect and”.</p> <p>In Schedule 1, paragraph 2(8).</p>

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		In Schedule 3, in paragraph 5(3), the words “and (8)”.
1974 c. 23.	The Juries Act 1974.	In Part III of Schedule 1 the words “or any Voluntary Aid Detachment serving with the Royal Navy”.
1975 c. 24.	The House of Commons Disqualification Act 1975.	Section 10(4).
1975 c. 25.	The Northern Ireland Assembly Disqualification Act 1975.	Section 5(3).

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Changes and effects yet to be applied to :

- s. 8(1)(a) words substituted by [2003 c. 44 Sch. 32 para. 19\(2\)](#)
- s. 8(2) words substituted by [2003 c. 44 Sch. 32 para. 19\(3\)](#)