



# Armed Forces Act 1981

## 1981 CHAPTER 55

### PART I

#### CONTINUANCE OF SERVICES ACTS

**1** .....<sup>F1</sup>

#### Textual Amendments

**F1** S. 1 repealed by [Armed Forces Act 1986 \(c. 21, SIF 7:1\)](#), s. 16(2), [Sch. 2](#)

### PART II

#### TRIAL AND PUNISHMENT OF OFFENCES

**F2** **Young service offenders: custodial orders.**

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#### Textual Amendments

**F2** Ss. 2-8 repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), [Sch. 17](#); [S.I.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

**F3** **Power to stay further proceedings under one of the Services Acts with a view to other proceedings.**

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*Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 1981. (See end of Document for details)*

**Textual Amendments**

**F2** Ss. 2-8 repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), [Sch. 17](#); [S.I.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

**F<sup>2</sup>4** **Marines: forfeiture of service where desertion confessed.**

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**Textual Amendments**

**F2** Ss. 2-8 repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), [Sch. 17](#); [S.I.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

**F<sup>2</sup>5** **Power on review or confirmation to annul the taking into consideration of other offences.**

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**Textual Amendments**

**F2** Ss. 2-8 repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), [Sch. 17](#); [S.I.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

**F<sup>2</sup>6** **Trial of persons ceasing to be subject to service law and time limits for trials.**

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**Textual Amendments**

**F2** Ss. 2-8 repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), [Sch. 17](#); [S.I.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

**F<sup>2</sup>7** **Extent of accused’s right to copy of record of court-martial proceedings.**

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**Textual Amendments**

**F2** Ss. 2-8 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

*Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 1981. (See end of Document for details)*

**F<sup>2</sup>8 Right of penalised parent or guardian to copy of record of court-martial proceedings.**

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**Textual Amendments**

**F2** Ss. 2-8 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** ..... **F3**

**Textual Amendments**

**F3** S. 9 repealed by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\)](#), s. 119, [Sch. 7 Pt. III](#)

**F<sup>4</sup>10 Amendments relating to trial and punishment of civilians under the Services Acts.**

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**Textual Amendments**

**F4** S. 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

**F<sup>5</sup>11 Minor amendments and repeals relating to procedure and evidence.**

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**Textual Amendments**

**F5** S. 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 Increase in fine for certain minor offences under the Reserve Forces Act 1980 <sup>M1</sup>.**

In section 143(1) of the Reserve Forces Act 1980 (fine not exceeding £5 for member of Ulster Defence Regiment for failure to attend or comply with orders, etc.) for “£5” there shall be substituted “£50”.

*Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 1981. (See end of Document for details)*

**Modifications etc. (not altering text)**

**C1** The text of ss. 2, 3, 4(2), 5, 6(1)(2)(3)(c)(4)(5)(6), 7, 8, 10–12, 15, 16, 18, 19, 20(3), 21–23, 24(2), 28(1) 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** 1980 c. 9.

**PART III**

MISCELLANEOUS

*New powers in relation to persons under incapacity*

**<sup>F6</sup>13 Temporary removal to and detention for treatment in service hospitals abroad of servicemen and others suffering from mental disorder.**

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**Textual Amendments**

**F6** S. 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

**<sup>F7</sup>14** .....

**Textual Amendments**

**F7** S. 14 repealed and superseded (1.6.1996) by [Armed Forces Act 1991 \(c. 62, SIF 7:1\)](#), ss. 19(7), 26(2), [Sch. 3](#); [S.I. 1996/1173](#), art. 2, SCh.(with art. 3)

*Amendments of the Naval Discipline Act 1957 as to offences and punishments*

**<sup>F8</sup>15 Prize offence : minor amendment as to intent.**

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**Textual Amendments**

**F8** Ss. 15-19 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

*Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 1981. (See end of Document for details)*

**F8 16 Power on summary trial to award stoppages.**

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**Textual Amendments**

**F8** Ss. 15-19 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

**F8 17 Abolition of death penalty for spying in ships, etc. abroad.**

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**Textual Amendments**

**F8** Ss. 15-19 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

*Amendments of the Services Acts relating to evidence and proceedings thereunder*

**F8 18**

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**Textual Amendments**

**F8** Ss. 15-19 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

**F8 19 Officers who can take affidavits and declarations abroad.**

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**Textual Amendments**

**F8** Ss. 15-19 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

**20 Women's services: statutory assimilation and application thereto of certain enactments.**

- (1) Parts I and II of Schedule 3 to this Act shall have effect for the purpose of completing the assimilation for all purposes of the statute law of the women's services administered by the Defence Council with the military, naval and air forces of the Crown in or with which their members serve.

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*Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 1981. (See end of Document for details)*

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- (2) Part III of that Schedule shall have effect for the purpose of applying to the members of Queen Alexandra’s Royal Naval Nursing Service <sup>F9</sup> . . . provisions of the <sup>M2</sup>Armed Forces Act 1966 applicable to ratings in the Royal Navy relating to discharge from service and to false statements made on entry into service.
- (3) The Reserve Forces Act 1980 <sup>M3</sup> shall have effect, and be deemed always to have had effect, with the substitution, in section 156(3) (application of the Act to women as to men), for the words “so far as it relates to the military and air forces” of the words “except so much of it as relates to the Royal Fleet Reserve and Royal Marines Reserve”.

**Textual Amendments**

**F9** Words in s. 20(2) repealed (1.10.1996) by 1996 c. 46, s. 35(2), **Sch. 7 Pt. III**; S.I. 1996/2474, art. 2, **Sch.**

**Modifications etc. (not altering text)**

**C2** The text of ss. 2, 3, 4(2), 5, 6(1)(2)(3)(c)(4)(5)(6), 7, 8, 10–12, 15, 16, 18, 19, 20(3), 21–23, 24(2), 28(1) 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** 1966 c. 45.  
**M3** 1980 c. 9.

**F10**<sup>21</sup> **Clarification of the meaning in the Naval Discipline Act 1957 of “marine forces” and “naval reserve forces”.**

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**Textual Amendments**

**F10** S. 21 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

**22** **Members of the armed forces are “employees” for the purposes of the Patents Act 1977.**

- (1) The Patents Act 1977 <sup>M4</sup> shall have effect, and be deemed always to have had effect, with the following amendments (being amendments to secure that members of the armed forces are “employees” for the purposes of that Act).
- (2) In section 42(4), at the end of the definition of “Crown employee”, there shall be added the words “or a person serving in the naval, military or air forces of the Crown.”.
- (3) In section 130(1), at the end of the definition of “employee, there shall be added the words “or a person who serves (or served) in the naval, military or air forces of the Crown”.

*Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 1981. (See end of Document for details)*

**Modifications etc. (not altering text)**

- C3** The text of ss. 2, 3, 4(2), 5, 6(1)(2)(3)(c)(4)(5)(6), 7, 8, 10–12, 15, 16, 18, 19, 20(3), 21–23, 24(2), 28(1) 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**

- M4** 1977 c. 37.

**<sup>F11</sup>23 Inquiries : persons affected who must be given a opportunity to be present and represented.**

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**Textual Amendments**

- F11** S. 23 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

**24 Abolition of the office of Accountant General of the Navy.**

**<sup>F12</sup>(1)** .....

(2) Accordingly the enactments specified in this subsection which refer to that office shall be amended as follows—

- (a) in sections 6 and 8 of the Naval Agency and Disribution Act 1864 <sup>M5</sup> (registration of certain instruments in the Accountant General’s Office) for the words “in the office of the Accountant General of the Navy” there shall be substituted the words “with the Secretary of State” ; and
- (b) in section 47 of the Greenwich Hospital Act 1865 <sup>M6</sup> (Accountant General to prepare for audit the accounts of the hospital’s property) for the words “The Accountant general of the Navy” there shall be substituted the words “The Secretary of State”.

**Textual Amendments**

- F12** S. 24(1) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 5](#) Group 1

**Modifications etc. (not altering text)**

- C4** The text of ss. 2, 3, 4(2), 5, 6(1)(2)(3)(c)(4)(5)(6), 7, 8, 10–12, 15, 16, 18, 19, 20(3), 21–23, 24(2), 28(1) 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**

- M5** 1864 c. 24.  
**M6** 1865 c. 89.

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*Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 1981. (See end of Document for details)*

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**F13 25 Naval prize cash balance not to include percentage deduction.**

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**Textual Amendments**

**F13** S. 25 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

**26 Payment of military pensions.**

The <sup>M7</sup>Army Pensions Act 1914 (which requires pensions in respect of military service, whether payable under statute or the prerogative, to be paid in advance) shall cease to have effect except in relation to pensions which have been granted before the passing of this Act and which are, at the date of its passing, paid in advance in accordance with that Act.

**Marginal Citations**

**M7** 1914 c. 83.

**F14 27 Naval and marine pay and pensions: no further publication in London Gazette.**

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**Textual Amendments**

**F14** S. 27 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**

**GENERAL**

**28 Minor and consequential amendments and repeals.**

- (1) The enactments specified in Schedule 4 to this Act shall be amended in accordance with the provisions of that Schedule.
- (2) The enactments specified in Schedule 5 to this Act (which include some spent enactments) are hereby repealed to the extent specified in the third column of that Schedule subject, in the case of the repeals included in Part I, to the saving at the end of that Part.



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*Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 1981. (See end of Document for details)*

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**Modifications etc. (not altering text)**

- C5** The text of ss. 2, 3, 4(2), 5, 6(1)(2)(3)(c)(4)(5)(6), 7, 8, 10–12, 15, 16, 18, 19, 20(3), 21–23, 24(2), 28(1) 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.

**29 Commencement.**

- (1) Subject to subsections (4) and (5) below, this Act shall come into force on such date as the Secretary of State may appoint by order made by statutory instrument.
- (2) Different dates may be so appointed for different provisions or for different purposes.
- (3) A provision brought into force by an order under subsection (1) above shall have effect subject to such supplementary provisions (which may include saving and transitional provisions) as may be specified in the order.
- (4) The following provisions of this Act shall come into force on the day it is passed, namely, sections 1, 7, 15, 16, 17, 19, 20, 21, 22, 25, 26, 27, 28(2), this section, section 30 and Schedule 3.
- (5) The repeals contained in Schedule 5 to this Act shall come into force in accordance with the provisions at the end of that Schedule.

**Modifications etc. (not altering text)**

- C6** Power of appointment conferred by s. 29(1) fully exercised: [S.I. 1981/1503](#) and 1982/497

**30 Short title.**

This Act may be cited as the Armed Forces Act 1981.

**Changes to legislation:**

There are currently no known outstanding effects for the Armed Forces Act 1981.