



# Armed Forces Act 1981

## 1981 CHAPTER 55

### PART III

#### MISCELLANEOUS

##### *Miscellaneous*

#### **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.
- (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 and the Women's Royal Naval Service provisions of the 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 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 the Royal Marines Reserve ".

#### **21 Clarification of the meaning in the Naval Discipline Act 1957 of " marine forces " and " naval reserve forces "**

In section 132 of the Naval Discipline Act 1957 (which defines certain expressions for the purposes of that Act), for subsections (7) and (8) there shall be substituted the following subsections—

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“(7) In this Act " the marine forces " means the Royal Marines, the Royal Marines Reserve and the Royal Fleet Reserve so far as it consists of warrant officers, non-commissioned officers and marines who have served in the Royal Marines.

(8) In this Act" naval reserve forces " means—

- (a) the Royal Naval Reserve including officers of reserve to the Royal Navy and including the Royal Fleet Reserve except so far as it consists of warrant officers, non-commissioned officers and marines who have served in the Royal Marines, and
- (b) any reserve of Queen Alexandra's Royal Naval Nursing Service or the Women's Royal Naval Service.”.

**22 Members of the armed forces are " employees " for the purposes of the Patents Act 1977**

- (1) The Patents Act 1977 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 ".

**23 Inquiries: persons affected who must be given an opportunity to be present and represented**

- (1) Section 135(4) of the Army Act 1955 and the Air Force Act 1955 (which require rules for boards of inquiry to secure to witnesses and other persons affected the right to be present and represented) shall be amended by the insertion after the words " other person " of the words " to whom this subsection applies " and the addition at the end of the following paragraph—

“This subsection, so far as it applies to persons other than witnesses who may be affected by the findings, applies to persons of the following descriptions only, that is to say—

- (a) persons who are subject to military law, air-force law or the Naval Discipline Act 1957;
- (b) persons who, though not so subject, are in the service of the Crown and may be so affected in character or professional reputation ; and
- (c) persons who, though not so subject, are employed by the Civil Aviation Authority in or in connection with the provision by the Authority of air navigation services and may be so affected in character or professional reputation.”.

- (2) Section 26(3) of the Army and Air Force Act 1961 (whose effect is reproduced by the provision made by subsection (1) above) is hereby repealed.

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

- (1) The office of Accountant General of the Navy is hereby abolished and the functions of that office shall become functions of the Secretary of State.
- (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 Distribution Act 1864 (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 (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 ".

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

The percentage of the proceeds of all prizes, grants, bounty money and other money distributable among the officers and crew of Her Majesty's ships of war which is directed by section 17 of the Naval Agency and Distribution Act 1864 to be carried to and form part of the naval prize cash balance shall cease to be so dealt with and shall instead be distributable in the same way as the respective sums from which it would otherwise have been deducted.

**26 Payment of military pensions**

The 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.

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

Orders in Council made under the Naval and Marine Pay and Pensions Act 1865 (which regulate the payment of such pay and pensions) shall cease to be published in the London Gazette.