



Visiting Forces (British Commonwealth) Act 1933

1933 CHAPTER 6

1 Provisions with respect to the discipline and internal administration of visiting forces

- (1) When a visiting force is present in the United Kingdom, it shall be lawful for the naval, military and air force courts and authorities (in this Act referred to as the " service courts " and " service authorities ") of that part of the Commonwealth to which the force belongs to exercise within the United Kingdom in relation to members of the force in matters concerning discipline and in matters concerning the internal administration of the force all such powers as are conferred upon them by the law of that part of the Commonwealth.
- (2) The members of any such service court as aforesaid exercising jurisdiction by virtue of this Act and witnesses appearing before any such court shall enjoy the like immunities and privileges as are enjoyed by a service court exercising jurisdiction by virtue of the Naval Discipline Act, the Army Act or the Air Force Act, as the case may be, and by witnesses appearing before such a court.
- (3) Where any sentence has, whether within or without the United Kingdom, been passed upon a member of a visiting force by a service court of that part of the Commonwealth to which the force belongs, then for the purposes of any legal proceedings within the United Kingdom the court shall be deemed to have been properly constituted, and its proceedings shall be deemed to have been regularly conducted, and the sentence shall be deemed to be within the jurisdiction of the court and in accordance with the law of that part of the Commonwealth, and if executed according to the tenor thereof shall be deemed to have been lawfully executed, and any member of a visiting force who is detained in custody in pursuance of any such sentence, or pending the determination by such a service court as aforesaid of a charge brought against him, shall for the purposes of any such proceedings as aforesaid be deemed to be in legal custody.

For the purposes of any such proceedings as aforesaid a certificate under the hand of the officer commanding a visiting force that a member of that force is being detained for either of the causes aforesaid shall be conclusive evidence of the cause of his detention, but not of his being such a member, and a certificate under the hand of

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such an officer that the persons specified in the certificate sat as a service court of that part of the Commonwealth to which the force belongs shall be conclusive evidence of that fact.

- (4) No proceedings in respect of the pay, terms of service or discharge of a member of a visiting force shall be entertained by any court of the United Kingdom.
- (5) For the purpose of enabling such service courts and service authorities as aforesaid to exercise more effectively the powers conferred upon them by this section, the Admiralty, Army Council, or Air Council, as the case may be, if so requested by the officer commanding a visiting force, or by the Government of that part of the Commonwealth to which the force belongs, may from time to time by general or special orders to any home force direct the members thereof to arrest members of the visiting force alleged to have been guilty of offences against the law of that part of the Commonwealth, and to hand over any person so arrested to the appropriate authorities of the visiting force.