



Visiting Forces (British Commonwealth) Act 1933

1933 CHAPTER 6

2 Relations of visiting forces to the civil power and civilians

- (1) His Majesty may by Order in Council authorise any Government department, Minister of the Crown, or other person in the United Kingdom, to perform, at the request of such authority or officer as may be specified in the Order, but subject to such limitations as may be so specified, any function in relation to a visiting force and members thereof which that department, Minister, or person performs or could perform in relation to a home force of like nature to the visiting force, or in relation to members of such a force and, for the purpose of the exercise of any such function, any power exercisable by virtue of any enactment by the Minister, department or person in relation to a home force or members thereof shall be exercisable by him or them in relation to the visiting force and members thereof:

Provided that nothing in this subsection shall authorise any interference with the visiting force in matters relating to discipline, or to the internal administration of the force.

For the purposes of this subsection, the Admiralty, the Army Council and the Air Council shall be deemed to be Government departments.

- (2) If His Majesty by Order in Council so provides, members of a visiting force if sentenced by a service court of that part of the Commonwealth to which the force belongs to penal servitude, imprisonment or detention may, under the authority of a Secretary of State or the Admiralty, given at the request of the officer commanding the visiting force, be temporarily detained in custody in prisons or detention barracks in the United Kingdom, and if so sentenced to imprisonment may, under the like authority, be imprisoned during the whole or any part of the term of their sentences in prisons in the United Kingdom, and His Majesty may by the same or a subsequent Order make provision with respect to any of the following matters, that is to say, the reception of such persons from, and their return to, the service authorities concerned, their treatment while in such custody, or while so imprisoned, the circumstances under which they are to be released, and the manner in which they are to be dealt with in the event of their unsoundness of mind while in such custody, or while so imprisoned.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

Any costs incurred in the "maintenance and return of, or otherwise in connection with, any person dealt with in accordance with the provisions of this subsection shall be defrayed in such manner as may, with the consent of the Treasury, be agreed between the Secretary of State or the Admiralty and the Government of that part of the Commonwealth which is concerned.

- (3) Subject as hereinafter provided, any enactment (whether contained in the Naval Discipline Act, the Army Act, the Air Force Act or any other statute) which—
- (a) exempts, or provides for the exemption of, any vessel, vehicle, aircraft, machine or apparatus of, or employed for the purposes of, the home forces or any of them from the operation of any enactment; or
 - (b) in virtue of a connection with the home forces or any of them, confers a privilege or immunity on any person; or
 - (c) in virtue of such a connection, excepts any property, trade or business, in whole or in part, from the operation of any enactment, or from any tax, rate, imposition, toll or charge; or
 - (d) imposes upon any person or undertaking obligations in relation to the home forces, or any of them, or any member or service court thereof; or
 - (e) penalises misconduct by any person in relation to the home forces or any of them, or any member or service court thereof,

shall, with any necessary modifications, apply in relation to a visiting force as it would apply in relation to a home force of a like nature to the visiting force:

Provided that His Majesty may by Order in Council direct that any such enactment either shall not apply, or shall apply with such exceptions and subject to such adaptations or modifications as may be specified in the Order.

- (4) An Order in Council under this section may apply either generally, or in relation to visiting forces from any particular part of the Commonwealth, or in relation to any particular visiting force, or in relation to any particular place.