



Visiting Forces Act 1952

1952 CHAPTER 67 15 and 16 Geo 6 and 1 Eliz 2

PART I

VISITING FORCES

8 Application to visiting forces of law relating to home forces.

- (1) Where under any enactment a power is exercisable by any authority or person—
- (a) as respects any of the home forces or their members or service courts or other persons in any way connected therewith, or
 - (b) as respects any property used or to be used for the purposes of any of the home forces, or for taking possession of any property to be so used, or for acquiring (whether by agreement or compulsorily) any property so used or to be so used.

Her Majesty may by Order in Council make provision for securing that subject to any conditions specified by or under the Order the power shall be exercisable by that authority or person in the case of any visiting force to which the Order applies to any extent to which it would be exercisable if the visiting force were a part of any of the home forces.

- (2) Her Majesty may by Order in Council made as respects any visiting force make provision—
- (a) for exempting that force or members or service courts thereof or other persons in any way connected therewith, or property used or to be used for the purposes thereof, from the operation of any enactment specified in the Order to any extent to which the force, members, courts, persons or property would be, or would be capable of being, exempted therefrom if the force were a part of any of the home forces;
 - (b) for conferring on that force or any such members, courts, persons or property as aforesaid any other privilege or immunity specified in the Order, being a privilege or immunity which would be enjoyed by, or would be capable of being conferred on, the force, members, courts, persons or property if the force were a part of any of the home forces,

subject however to any conditions specified by or under the Order.

Changes to legislation: There are currently no known outstanding effects for the Visiting Forces Act 1952, Section 8. (See end of Document for details)

- (3) Where by any enactment the doing of anything is prohibited, restricted or required in relation to—
- (a) any of the home forces or their members or service courts or other persons in any way connected therewith,
 - (b) any property used or to be used for the purposes of any of the home forces,
- Her Majesty may by Order in Council make provision for securing that the prohibition, restriction or requirement shall have effect in the case of any visiting force to which the Order applies to any extent to which it so would have effect if the visiting force were a part of any of the home forces.
- (4) An Order in Council under this section—
- (a) may contain such incidental, consequential and supplementary provisions as appear to Her Majesty in Council expedient for the purposes of the Order, including provisions for applying, modifying, adapting or suspending any enactment;
 - (b) may make financial provision in respect of the exercise of any power, or the discharge of any duty, conferred or imposed by the Order.
- (5) There shall be defrayed out of moneys provided by Parliament any increase attributable to the provisions of an Order under this section in the sums payable out of such moneys under any enactment.
- (6) No recommendation shall be made to Her Majesty in Council to make an Order under this section unless a draft thereof has been laid before Parliament and approved by resolution of each House of Parliament.
- (7) In this section—
- “enactment” means an enactment (passed either before or after the passing of this Act) of the Parliament of the United Kingdom or of the Parliament of Northern Ireland, and includes any instrument having effect under an enactment;
 - “property” includes both real and personal property, or in Scotland both heritable and moveable property.
- (8) Subsections (1) and (3) of this section apply whether the power in question is exercisable, or the prohibition, restriction or requirement in question is imposed, by provision expressly relating to the home forces or by more general provision, and subsection (2) of this section applies whether the exemption, privilege or immunity in question would subsist, or be capable of being conferred, by virtue of any such provision or by reason of any enactment’s not binding the Crown.

Changes to legislation:

There are currently no known outstanding effects for the Visiting Forces Act 1952, Section 8.