



Armed Forces Act 1976

1976 CHAPTER 52

An Act to continue the Army Act 1955, the Air Force Act 1955 and the Naval Discipline Act 1957; to amend those Acts and other enactments relating to the armed forces; to authorise the establishment of courts for the trial outside the United Kingdom of civilians subject to Part II of the Army Act 1955 or Part II of the Air Force Act 1955; to make provision for the powers of the courts so authorised in relation to such civilians; to make further provision for the powers of courts-martial in relation to such civilians and to civilians subject to Parts I and II of the Naval Discipline Act 1957; to make further provision as to the disqualification of members of the forces for membership of the House of Commons or the Northern Ireland Assembly; to make further provision for Greenwich Hospital; and for connected purposes. [26th October 1976]

Modifications etc. (not altering text)

- C1 Act: Power to amend conferred (*prosp.*) by [2001 c. 19, ss. 30\(4\)\(e\), 39\(2\)](#)
- C2 Words of enactment omitted under authority of [Statute Law Revision Act 1948 \(c. 62\), s. 3](#)
- C3 Act amended (women's services) by [Armed Forces Act 1981 \(c. 55, SIF 7:1\), s. 20, Sch. 3 Pt. I para. 1](#)
- C4 Power to amend Act conferred by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\), s. 50\(3\)\(a\)\(iv\)](#)
- C5 By [Criminal Justice Act 1991 \(c. 53, SIF 39:1\), s. 101\(1\), Sch. 12 para.23](#); [S.I. 1991/2208, art. 2\(1\), Sch.1](#) it is provided (14.10.1991) that in relation to any time before the commencement of s. 70 of that 1991 Act (which came into force on 1.10.1992 by [S.I. 1992/333, art. 2\(2\), Sch. 2](#)) references in any enactment amended by that 1991 Act, to youth courts shall be construed as references to juvenile courts.
- C6 Act power to amend conferred (25.8.2006) by [Armed Forces Act 2001 \(c. 19\), ss. 30\(4\)\(e\), 39\(2\)](#); [S.I. 2006/2309, art. 2](#)
- C7 Act power to amend conferred (4.6.2007) by [Armed Forces Act 2006 \(c. 52\), ss. 381, 383\(2\)](#); [S.I. 2007/1442, art. 2\(2\)](#)

Commencement Information

- II Act partly in force at Royal Assent, see [s. 22\(7\)](#); Act wholly in force at 1.7.1977

Changes to legislation: Armed Forces Act 1976 is up to date with all changes known to be in force on or before 07 January 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

PART I

GENERAL

1 ^{F1}

Textual Amendments
F1 S. 1 repealed by [Armed Forces Act 1981 \(c. 55, SIF 7:1\)](#), ss. 1(5), 28, [Sch. 5 Pt. II](#)

Service in and constitution of forces

F2 **Regulations as to variation of term of service.**
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Textual Amendments
F2 Ss. 2-4 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 **Royal Marines.**
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Textual Amendments
F2 Ss. 2-4 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

F4 **QARNNS and WRNS.**
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Textual Amendments
F2 Ss. 2-4 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

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PART II

TRIAL AND PUNISHMENT OF OFFENCES

Summary punishment

F35

Textual Amendments

F3 S. 5 repealed (1.4.1997) by 1996 c. 46, s. 35(2), Sch. 7 Pt. I; S.I. 1997/304, art. 2(with art. 3)

Civilians

F46 **Establishment of Standing Civilian Courts.**

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Textual Amendments

F4 Ss. 6-16 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

F47 **Jurisdiction of Standing Civilian Courts.**

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Textual Amendments

F4 Ss. 6-16 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

F48 **Powers of courts in relation to civilians.** **E+W**

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Extent Information

E1 This version of this provision extends to England and Wales only; a separate version has been created for Scotland and Northern Ireland only.

Textual Amendments

F4 Ss. 6-16 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

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F⁴8 Powers of courts in relation to civilians. S+N.I.

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Extent Information

E2 This version of this provision extends to Scotland and Northern Ireland only; a separate version has been created for England and Wales only.

Textual Amendments

F4 [Ss. 6-16](#) 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

F⁴9 Constitution of courts-martial for civilians.

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Textual Amendments

F4 [Ss. 6-16](#) 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

Juveniles

F⁴10 Powers of courts in relation to juveniles.

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Textual Amendments

F4 [Ss. 6-16](#) 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

Court-martial procedure

F⁴11 Proof at courts-martial by written statement.

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Textual Amendments

F4 [Ss. 6-16](#) 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

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F⁴12 Exemption of certain persons from duty to take oath at court-martial.

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Textual Amendments

- F4** Ss. 6-16 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

Powers of court-martial etc.

F⁴13 Imprisonment in default of payment of fines.

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Textual Amendments

- F4** Ss. 6-16 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

F⁴14 Restitution and compensation.

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Textual Amendments

- F4** Ss. 6-16 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

Naval Offences

F⁴15 Territorial scope of certain offences.

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Textual Amendments

- F4** Ss. 6-16 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

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Powers of civil courts

F4 16 Enforcement by civil courts of financial penalties awarded under Services Acts.

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Textual Amendments

F4 Ss. 6-16 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

Rehabilitation

F5 17

Textual Amendments

F5 S. 17 repealed (1.10.1996) by [1996 c. 46](#), s. 35(2), [Sch. 7 Pt. III](#); S.I. 1996/2474, art. 2, [Sch.](#)

PART III

MISCELLANEOUS AND SUPPLEMENTARY

F6 18 Deductions for maintenance of children.

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Textual Amendments

F6 S. 18 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

F7 19 Deductions from RAF pensions

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Textual Amendments

F7 S. 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

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20 Disqualification of members of forces for House of Commons and Northern Ireland Assembly.

In section 1 of the ^{M1} House of Commons Disqualification Act 1975 and section 1 of the ^{M2} Northern Ireland Assembly Disqualification Act 1975 (each of which disqualifies holders of certain offices and places)—

- (a) the words “or the Ulster Defence Regiment” shall be added at the end of subsection (1)(c), and
- (b) the following definition shall be substituted for the definition of “regular armed forces of the Crown” in subsection (3) of the former section and subsection (3) of the former section and subsection (2) of the latter, namely — “regular armed forces of the Crown” means the Royal Navy, the regular forces as defined by section 225 of the Army Act 1955, the regular air force as defined by section 223 of the Air Force Act 1955, Queen Alexandra’s Royal Naval Nursing Service and the Women’s Royal Naval Service. ”

Modifications etc. (not altering text)

- C8** The text of ss. 2, 5(1), 9–12, 15, 16, 18, 20, 22(5)(6), Schs. 1, 2, and 4–10 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991

Marginal Citations

- M1** 1975 c. 24.
M2 1975 c. 25.

21 Greenwich Hospital.

- (1) The Secretary of State shall continue to apply the income of the Travers Foundation property, after deducting the necessary and proper expenses of management, in granting such pensions to qualified officers, and under such conditions, as Her Majesty may from time to time by Order in Council direct; and all such pensions shall continue to be distinguished as Travers pensions.
- (2) Subject to subsection (1) above, the Secretary of State shall apply the income of the Travers Foundation property for the general purposes of the Greenwich Hospital Acts 1865 to 1967.
- (3) The ^{M3}Greenwich Hospital Acts 1865 to 1967 shall have effect as if the said property were property which vested in the Admiralty by virtue of the Greenwich Hospital Act 1865, and the capital and revenue of the property were capital and revenue of Greenwich Hospital, except that the accounts of the property shall be kept distinct from the general accounts of Greenwich Hospital, and be shown separately in any statement rendered to Parliament under the Greenwich Hospital Acts 1865 to 1967.
- (4) The rents and profits of the lands which vested in the Admiralty by virtue of the Greenwich Hospital Act 1865 and the ^{M4}Naval Knights of Windsor (Dissolution) Act 1892 shall continue to be paid, either with or without deductions of the necessary and proper expenses of management of those lands, and of other necessary and proper outgoings in respect of them, into the Bank of England to the cash account of Her Majesty’s Paymaster General, who shall carry them to the Greenwich Hospital Income Account and to the account mentioned in subsection (3) above respectively.

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(5) In this section—

“qualified officers” means retired officers of the rank of lieutenant in the [^{F8}Royal Navy], or officers of the [^{F8}Royal Navy] who have retired from the active list of lieutenants with the rank of commander in the [^{F8}Royal Navy]; and

“the Travers Foundation property” means the property which was transferred to the Admiralty by the Naval Knights of Windsor (Dissolution) Act 1892 and from them to the Secretary of State by the ^{M5}Defence (Transfer of Functions) Act 1964.

Textual Amendments

F8 Words substituted by [Armed Forces Act 1981 \(c. 55, SIF 7:1\)](#), s. 20, [Sch. 3 Pt. II para. 10](#)

Marginal Citations

M3 1865 c. 89.

M4 1892 c. 34.

M5 1964 c. 15.

22 Citation etc.

- (1) This Act may be cited as the Armed Forces Act 1976.
- (2) Section 21 above may be cited together with the Greenwich Hospital Acts 1865 to 1967 as the Greenwich Hospital Acts 1865 to 1976.
- (3) Except so far as the context otherwise requires, any reference in this Act to any other enactment is a reference to that enactment as amended by or under any subsequent enactment, including an enactment contained in this Act.
- (4) Any power to make an order conferred by any provision of this Act shall include power to make an order varying or revoking any order previously made under that provision.
- (5) The minor and consequential amendments specified in Schedule 9 to this Act shall have effect.
- (6) The enactments specified in Schedule 10 to this Act (which include enactments which were obsolete or unnecessary before the passing of this Act) are repealed to the extent specified in the third column of that Schedule.
- (7) The following provisions of this Act shall come into force on the day this Act is passed, namely—
 - section 1;
 - section 10;
 - section 17(1);
 - section 20(a);
 - section 21;
 - subsections (1) to (4) and (7) to (9) of this section;
 - subsection (5) of this section so far as it relates to paragraphs 4, 11 and 20(2), (4) and (5) of Schedule 9; and

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subsection (6) of this section so far as it relates to the repeal of the following, namely—

the ^{M6}Naval Knights of Windsor (Dissolution) Act 1892,

section 1 of the ^{M7}Armed Forces Act 1971,

section 10(4) of the ^{M8}House of Commons Disqualification Act 1975, and

section 5(3) of the ^{M9}Northern Ireland Assembly Disqualification Act 1975.

(8) Subject to subsection (7) above, this Act shall come into force on such day as the Secretary of State may by order made by statutory instrument appoint.

(9) An order under subsection (8) above—

(a) may appoint different days for different provisions and for different purposes; and

(b) may make savings from the effect of any provision which it brings into force.

Subordinate Legislation Made

P1 [S. 22](#): powers previously exercised see Index to Government Orders

P2 [S. 22\(4\)](#): s. 6(3) (with s. 22(4)) power exercised by [S.I.1991/2788](#)

Modifications etc. (not altering text)

C9 The text of ss. 2, 5(1), 9–12, 15, 16, 18, 20, 22(5)(6), Schs. 1, 2, and 4–10 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991

C10 Power of appointment fully exercised: 1.7.1977 appointed by [S.I. 1977/897](#)

Marginal Citations

M6 [1892 c. 34.](#)

M7 [1971 c. 33.](#)

M8 [1975 c. 24.](#)

M9 [1975 c. 25.](#)

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SCHEDULES

F⁹SCHEDULE 1

F⁹ ...

Textual Amendments

F⁹ Schs. 1-8 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

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F⁹SCHEDULE 2

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F9 SCHEDULE 3

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Textual Amendments

F10 Sch. 3 para. 7 repealed (1.4.1997) by 1996 c. 46 , ss. 5 , 35(2) , SCh. 1 Pt. IV para. 103(6), Sch. 7 Pt. I; S.I. 1997/304 , art. 2 (with art. 3)

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	<i>F9</i> ...
F ⁹ 11
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F ⁹ 12
	<i>F9</i> ...
F ⁹ 13
F ⁹ 14
	<i>F9</i> ...
F ⁹ 15
F ⁹ 16
F ⁹ 17
F ¹¹ 17A

Textual Amendments
F11 Sch. 3 para. 17A repealed (11.5.2001) by 2001 c. 19 , s. 38 , **Sch. 7 Pt. V**

	<i>F9</i> ...
F ⁹ 18
	<i>F9</i> ...
F ⁹ 19
F ⁹ 20
F ⁹ 21

F⁹SCHEDULE 4

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	<i>F9</i> ...
F ⁹ 1
F ⁹ 2
F ⁹ 3

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F⁹SCHEDULE 5

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F⁹SCHEDULE 6

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F⁹SCHEDULE 7

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F⁹SCHEDULE 8

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- F⁹3
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- F⁹4
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SCHEDULE 9

Section 22.

MISCELLANEOUS AMENDMENTS

Modifications etc. (not altering text)

C11 The text of ss. 2, 5(1), 9–12, 15, 16, 18, 20, 22(5)(6), Schs. 1, 2, and 4–10 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991

Criminal Evidence Act 1898

1 In section 6(1) of the ^{M10} Criminal Evidence Act 1898 after the words “1957” there shall be inserted the words “and in Standing Civilian Courts established under the Armed Forces Act 1976”.

Marginal Citations

M10 1898 c. 36.

2 F12

Textual Amendments

F12 Sch. 9 para. 2 repealed by S.I. 1979/1714 (N.I.19), Sch. 2

Army Act 1955 and Air Force Act 1955

F13₃

Textual Amendments

F13 Sch. 9 paras. 3-8 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

F13₄

Textual Amendments

F13 Sch. 9 paras. 3-8 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

F13₅

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Textual Amendments

F13 Sch. 9 paras. 3-8 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

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Textual Amendments

F13 Sch. 9 paras. 3-8 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

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Textual Amendments

F13 Sch. 9 paras. 3-8 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

F13⁸

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Textual Amendments

F13 Sch. 9 paras. 3-8 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 F14

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Textual Amendments

F14 Sch. 9 para. 9 repealed (with saving) by [Armed Forces Act 1981 \(c. 55, SIF 7:1\)](#), s. 28(2), [Sch. 5 Pt. I](#)

Naval Discipline Act 1957

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Textual Amendments

F15 Sch. 9 para. 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

F16¹¹

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Textual Amendments

F16 Sch. 9 para. 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 **F17**

Textual Amendments

F17 Sch. 9 para. 12 repealed by Armed Forces Act 1981 (c. 55, SIF 7:1), s. 28, **Sch. 5 Pt. II**

F18 13

Textual Amendments

F18 Sch. 9 para. 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

F19 14

Textual Amendments

F19 Sch. 9 para. 14 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

Criminal Justice Act 1967

15 In section 89(1) of the ^{M11} Criminal Justice Act 1967 (false written statements tendered in evidence) after the word “Act” there shall be inserted the words “or in proceedings before a court-martial by virtue of the said section 9 as extended by section 12 above or by section 99A of the Army Act 1955 or section 99A of the Air Force Act 1955”.

Marginal Citations

M11 1967 c. 80.

Courts-Martial (Appeals) Act 1968

F20 16

Changes to legislation: *Armed Forces Act 1976 is up to date with all changes known to be in force on or before 07 January 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Textual Amendments

F20 Sch. 9 para. 16 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

F21 17

Textual Amendments

F21 Sch. 9 para. 17 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

Treatment of Offenders Act (Northern Ireland) 1968

18 In section 33(4)(b) of the ^{M12} Treatment of Offenders Act (Northern Ireland) 1968 after the words “court-martial” there shall be inserted the words “or a Standing Civilian Court established under the Armed Forces Act 1976”.

Marginal Citations

M12 1968 c. 29 (N.I.).

19 **F22**

Textual Amendments

F22 Sch. 9 para. 19 repealed by Representation of the People Act 1983 (c. 2, SIF 42), s. 206, Sch. 9

Rehabilitation of Offenders Act 1974

20 (1) In subsection (1) of section 2 of the Rehabilitation of Offenders Act 1974 after the word “awarded” there shall be inserted the words “or order made by virtue of Schedule 5A to the Army Act 1955 or to the Air Force Act 1955 or Schedule 4A to the Naval Discipline Act 1957”.

F23 (2)

(3) The following paragraph shall be inserted after subsection (5)(b) of that section:—
“(bb) any proceedings before a Standing Civilian Court established under the Armed Forces Act 1976 ;”.

(4) In paragraph (d) of section 5(1) of that Act (sentences excluded from rehabilitation) at the end of the paragraph there shall be inserted the words “or a corresponding court-martial punishment”.

(5) The following subsection shall be inserted after that subsection:—

“(IA) In subsection (1)(d) above “corresponding court martial punishment” means a punishment awarded under section 71A(3) or (4) of the Army Act 1955,

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section 7IA(3) or (4) of the Air Force Act 1955 or section 43A(3) or (4) of the Naval Discipline Act 1957.”.

Textual Amendments

F23 Sch. 9 para. 20(2) repealed (1.10.1996) 1996 c. 46, s. 35(2), Sch. 7 Pt. III; S.I. 1996/2474, art. 2, Sch.(with art. 3)

21 [F24(1) The following entries shall be made in Table B in subsection (2) of section 5 of that Act (rehabilitation periods for particular sentences):—

(a) after the entry relating to a sentence of Borstal training—

“A custodial order under Schedule 5A to the Army Act 1955 or the Air Force Act 1955, or under Schedule 4A to the Naval Discipline Act 1957, where the maximum period of detention specified in the order is more than six months. Seven years.”;

(b) after the entry relating to an order for detention in a detention centre:—

“A custodial order under any of the Schedules to the said Acts of 1955 and 1957 mentioned above, where the maximum period of detention specified in the order is six months or less. Three years.”.

(2) The following paragraphs shall be added after subsection (5)(f) of that section:—

“(g) a community supervision order under Schedule 5A to the Army Act 1955 or the Air Force Act 1955, or under Schedule 4A to the Naval Discipline Act 1957;

(h) a reception order under any of those Schedules;”.

(3) The following subsection shall be inserted after subsection (10) of that section:—

“(10A) The reference in subsection (5) above to the period during which a reception order has effect includes a reference to any subsequent period during which by virtue of the order having been made the Social Work (Scotland) Act 1968 or the Children and Young Persons Act Northern Ireland) 1968 has effect in relation to the person in respect of whom the order was made and subsection (10) above shall accordingly have effect in relation to any such subsequent period.”]

Textual Amendments

F24 Sch. 9 para. 21 repealed (E.W.) (10.3.2014) by Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), s. 151(1), Sch. 25 Pt. 2 (with s. 141(1)-(6)); S.I. 2014/423, art. 2(c) (with art. 3)

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Treatment of Offenders (Northern Ireland) Order 1976

- 22 In Article 2(2) of the ^{M13} Treatment of Offenders (Northern Ireland) Order 1976, in the definition of “court” after the words “court-martial” there shall be inserted the words “ or a Standing Civilian Court established under the Armed Forces Act 1976”.

Marginal Citations

M13 Northern S.I. 1976 No. 226 (N.I.4).

SCHEDULE 10

Section 22.

REPEALS

Modifications etc. (not altering text)

C12 The text of ss. 2, 5(1), 9–12, 15, 16, 18, 20, 22(5)(6), Schs. 1, 2, and 4–10 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991

Chapter	Short Title	Extent of Repeal
55 & 56 Vict. c. 34.	Naval Knights of Windsor (Dissolution) Act 1892.	The whole Act.
4 Eliz. 2. c. 18.	The Army Act 1955.	In section 17(2), the words “except those relating to discharge by purchase”. In section 78(3), in the second proviso, in paragraph (a), the words “fourteen days or, where the offence was committed on active service,” and in paragraph (b) (i), the words “fourteen days or, where the civil offence constituting the offence against that section was committed on active service,”. Section 86(4). In section 93(1), the words “shorthand writer”. In section 225(1), in the definition of “Her Majesty’s forces”, the words “37 and”. In Schedule 7, in paragraph 1, the words from “10” to

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		“and”, in the second place where it occurs, paragraph 5A, and in paragraph 6, the words “sections fourteen and seventeen”.
3 & 4 Eliz. 2. c. 19.	The Air Force Act 1955.	<p>In section 17(2), the words “(except those relating to discharge by purchase)” .</p> <p>In section 78(3), in the second proviso, in paragraph (a), the words “fourteen days or, where the offence was committed on active service,” and in paragraph (b)(i), the words “fourteen days or, where the civil offence constituting the offence against that section was committed on active service,”.</p> <p>Section 86(4).</p> <p>In section 93(1), the words “shorthand writer”.</p> <p>In section 223(1), in the definition of “Her Majesty’s forces”, the words “37 and”.</p>
5 & 6 Eliz. 2. c. 53.	The Naval Discipline Act 1957.	<p>In section 60(1), the words “for the purpose of reporting or transcribing the proceedings or”.</p> <p>Section 76(5).</p> <p>Section 111(5)(a) and (b).</p> <p>Section 113(3).</p>
1966 c. 45.	The Armed Forces Act 1966.	<p>In section 13(1), the words from “and in place” to the end of the subsection.</p> <p>In Schedule 3, paragraph 2.</p>
1971 c. 33.	The Armed Forces Act 1971.	<p>Section 1.</p> <p>In section 67(3), the words from the beginning of the subsection to “have effect and”.</p> <p>In Schedule 1, paragraph 2(8).</p>

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1974 c. 23.	The Juries Act 1974.	In Schedule 3, in paragraph 5(3), the words “and (8)”.
1975 c. 24.	The House of Commons Disqualification Act 1975.	In Part III of Schedule 1 the words “or any Voluntary Aid Detachment serving with the Royal Navy”.
1975 c. 25.	The Northern Ireland Assembly Disqualification Act 1975.	Section 10(4).
		Section 5(3).

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 8(1)(a) words substituted by [2003 c. 44 Sch. 32 para. 19\(2\)](#)
- s. 8(2) words substituted by [2003 c. 44 Sch. 32 para. 19\(3\)](#)