



# Armed Forces Act 1981

## CHAPTER 55

### ARMED FORCES ACT 1981

#### PART I

##### CONTINUANCE OF SERVICES ACTS

- 1 Continuance of Services Acts

#### PART II

##### TRIAL AND PUNISHMENT OF OFFENCES

- 2 Young service offenders: custodial orders
- 3 Power to stay further proceedings under one of the Services Acts with a view to other proceedings
- 4 Marines: forfeiture of service where desertion confessed
- 5 Power on review or confirmation to annul the taking into consideration of other offences
- 6 Trial of persons ceasing to be subject to service law and time limits for trials
- 7 Extent of accused's right to copy of record of court-martial proceedings
- 8 Right of penalised parent or guardian to copy of record of court-martial proceedings
- 9 Evidence derived from computer records
- 10 Amendments relating to trial and punishment of civilians under the Services Acts
- 11 Minor amendments and repeals relating to procedure and evidence
- 12 Increase in fine for certain minor offences under the Reserve Forces Act 1980

*Status: This is the original version (as it was originally enacted).*

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### PART III

#### MISCELLANEOUS

##### *New powers in relation to persons under incapacity*

- 13 Temporary removal to and detention for treatment in service hospitals abroad of servicemen and others suffering from mental disorder
- 14 Temporary removal to and detention in a place of safety abroad of children of service families in need of care or control

##### *Amendments of the Naval Discipline Act 1957 as to offences and punishments*

- 15 Prize offence: minor amendment as to intent
- 16 Power on summary trial to award stoppages
- 17 Abolition of death penalty for spying in ships etc. abroad

##### *Amendments of the Services Acts relating to evidence and proceedings thereunder*

- 18 Service of process in maintenance proceedings
- 19 Officers who can take affidavits and declarations abroad

##### *Miscellaneous*

- 20 Women's services: statutory assimilation and application thereto of certain enactments
- 21 Clarification of the meaning in the Naval Discipline Act 1957 of "marine forces " and " naval reserve forces "
- 22 Members of the armed forces are " employees " for the purposes of the Patents Act 1977
- 23 Inquiries: persons affected who must be given an opportunity to be present and represented
- 24 Abolition of the office of Accountant General of the Navy
- 25 Naval prize cash balance not to include percentage deduction
- 26 Payment of military pensions
- 27 Naval and marine pay and pensions: no further publication in London Gazette

### PART IV

#### GENERAL

- 28 Minor and consequential amendments and repeals
- 29 Commencement
- 30 Short title

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### SCHEDULES

#### SCHEDULE 1 — Amendments Relating to Trial of Civilians, Etc

##### *Powers on trial of civilian*

- 1 In section 209(3)(b) of the Army Act 1955 and the...
- 2 In section 209(4B) of the Air Force Act 1955 (application...
- 3 (1) The following amendments shall be made in Schedule 5A...

*Standing Civilian Courts: appeal and suspending sentence*

4 (1) Schedule 3 to the Armed Forces Act 1976 (Standing...

SCHEDULE 2 — Minor Amendments and Repeals Relating to Procedure and Evidence

*Election for trial by court-martial after investigation by commanding officer*

1 In section 78(5) of the Army Act 1955 and the...

*Election for trial by court-martial after investigation by appropriate superior authority*

2 In section 79(6) of the Army Act 1955 and the...

*Appropriate superior authorities*

3 In section 82(2)(b) of the Army Act 1955 and the...

*Places for sitting of courts-martial*

4 In section 91(1) of the Army Act 1955 and the...

*Persons under instruction at courts-martial*

5 (1) In section 93(1) of the Army Act 1955 and...

*Written evidence at courts-martial: repeal of unnecessary provision*

6 Section 99(2) of the Army Act 1955 and the Air...

*Correction of wrong cross-reference in provision for making rules of procedure*

7 In section 103(2)(i) of the Army Act 1955 and the...

*Correction of wrong cross-reference in provision about maintenance orders*

8 In section 151(2) of the Army Act 1955 and the...

*Evidence in sexual offences cases: application to judge advocate in court's absence*

9 In section 3(3) of the Sexual Offences (Amendment) Act 1976...

SCHEDULE 3 — Women's Services

PART I — STATUTORY ASSIMILATION

*Existing enactments*

1 (1) Every enactment which refers to the armed forces or...

*Future enactments*

2 Paragraph 1 above also applies for the interpretation of references...

PART II — SPECIFIC AMENDMENTS OF ENACTMENTS

3 In section 2 of the Pensions Commutation Act 1871, in...

4 In section 2(b) of the Colonial Prisoners Removal Act 1884,...

5 In the Uniforms Act 1894, the following section shall be...

6 In section 4 of the Air Force (Constitution) Act 1917,...

7 In section 5(1) and in the definition of " British...

- 8 In section 68(2) of the Marriage Act 1949, in paragraph...  
 9 In section 2(1) of the Marriage (Registration of Buildings) Act...  
 10 In section 21(5) of the Armed Forces Act 1976, in...  
 PART III — APPLICATION TO QARNNS AND WRNS OF PROVISIONS OF 1966  
 ACT AS TO DISCHARGE, ETC

*Preliminary*

- 11 (1) The provisions of the Armed Forces Act 1966 specified...

*Postponement of discharge in event of war, etc.*

- 12 So much of section 4 as relates to discharge shall...

*Discharge*

- 13 Section 6 (except subsection (5)) shall apply to ratings of...

*False statements on entry*

- 14 Section 8 shall apply to persons offering themselves for service...

## SCHEDULE 4 — Minor and Consequential Amendments

*The Army Act 1955*

- 1 (1) In section 210 of the Army Act 1955 (application...

*The Rehabilitation of Offenders Act 1974*

- 2 (1) In section 2(4) of the Rehabilitation of Offenders Act...

*The Rehabilitation of Offenders (Northern Ireland) Order 1978*

- 3 (1) In Article 4(4) of the Rehabilitation of Offenders (Northern...

## SCHEDULE 5 — Repeals

## PART I — REPEALS CONSEQUENT ON ASSIMILATION OF WOMEN'S SERVICES

*Acts of the Parliament of the United Kingdom*

## PART II — OTHER REPEALS