



Geneva Conventions (Amendment) Act 1995

1995 CHAPTER 27

4 Amendment of section 7 of the 1957 Act.

- (1) Section 7 of the 1957 Act shall be amended as follows.
- (2) In the definition of “protected internee”, after the word “Act” there shall be inserted the words “ (including a person so protected by virtue of the first protocol) ”.
- (3) In the definition of “protected prisoner of war”, at the end, there shall be inserted the words “ (including a person protected as a prisoner of war under the first protocol) or a person entitled under the first protocol to the same protection as a prisoner of war; ”.
- (4) After the definition of “protected prisoner of war” there shall be inserted the following definition—

““the first protocol” means the Protocol, additional to the Geneva Conventions of 12 August 1949, relating to the Protection of Victims of International Armed Conflicts (Protocol I) done on 10 June 1977, the text of which is set out in the Fifth Schedule to this Act;”.
- (5) In the definition of “the protecting power”, for the words from “or, as” to the end there shall be substituted the words “ Schedule to this Act, the convention set out in the Fourth Schedule to this Act or the first protocol; ”.
- (6) After the definition of “the scheduled conventions” there shall be inserted the following definition—

““the second protocol” means the Protocol, additional to the Geneva Conventions of 12 August 1949, relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II) done on 10 June 1977, the text of which is set out in the Sixth Schedule to this Act.”
- (7) After subsection (2) there shall be inserted the following subsections—

“(3) If the ratification by the United Kingdom of the first protocol or the second protocol is subject to any reservation or accompanied by a declaration—

Changes to legislation: There are currently no known outstanding effects for the Geneva Conventions (Amendment) Act 1995, Section 4. (See end of Document for details)

- (a) Her Majesty may by Order in Council certify that such a reservation or declaration has been made and the terms in which it was made; and
 - (b) the protocol shall for the purposes of this Act be construed subject to and in accordance with any reservation or declaration so certified.
- (4) If such a reservation or declaration is withdrawn (in whole or part), an Order in Council under the foregoing subsection may certify that fact and revoke or amend any Order in Council containing the terms of that reservation or declaration.
- (5) If the first protocol is further revised under Article 98 of the protocol, Her Majesty may by Order in Council amend the Fifth Schedule to this Act so as to ensure that the Schedule sets out the text of the protocol as in force in relation to the United Kingdom.”

Changes to legislation:

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