

he is delivered into air-force custody shall be in the form specified in Part III of the Schedule to these Regulations and shall contain the particulars therein set out relating to his arrest and state whether or not the person arrested was at the time of arrest wearing the uniform of any of Her Majesty's air forces.

5. The Certificates of Arrest and Surrender of Deserters and Absentees (Air Force) Regulations 1956(a) and the Certificates of Arrest and Surrender of Deserters and Absentees (Air Force) (Amendment) Regulations 1961(b) are hereby revoked.

Carrington,
One of Her Majesty's Principal Secretaries of State.

Dated 23rd February 1972.

SCHEDULE

PART I

CERTIFICATE IN ACCORDANCE WITH SECTION 189(1) OF THE AIR FORCE ACT 1955

I CERTIFY that on the.....day of.....19...., there was brought before the..... Court
(name and description of court)
at....., being a court of summary jurisdiction.
(place)

Number.....
Rank.....
Name.....
Unit.....

a member of the regular air force alleged to be an illegal absentee who had....
(insert as appropriate "been arrested by" or "surrendered to")
(insert the name of the person who effected the arrest or to whom surrender was made)

at *(place)* at *(time)*
on the *(date)*19....
and that he was dealt with in accordance with the provisions of section 187 of the Air Force Act 1955.

Delete this paragraph if no admission made. (The said member of the regular air force admitted that he had been illegally absent from the said unit at
(place from which he absented himself if known))

Dated thisday of19....

.....(Signature)

.....(Description)

(As to the persons qualified to sign, see note)

(a) S.I. 1956/580 (1956 II, p. 2172). (b) S.I. 1961/1837 (1961 III, p. 3491).

NOTE

The following persons are authorised to sign under section 30 of the Army and Air Force Act 1961:—

- (1) in England, Wales and the Isle of Man, a justice of the peace or the clerk of the court ;
- (2) in Scotland, the clerk of the court ;
- (3) in Northern Ireland, a resident magistrate or the clerk of petty sessions for the petty sessions district in which the court sat ;
- (4) in Jersey and Guernsey, a magistrate or a person for the time being authorised to act as a magistrate ;
- (5) in Alderney, the chairman of the Court of Alderney or the person for the time being authorised to act as chairman of that court ;
- (6) in Sark, the Seneschal or the Deputy Seneschal ; and
- (7) in a colony, protectorate or trusteeship territory under the United Nations, a magistrate or the official (by whatever designation known) who exercises in the court functions similar to those exercised in England by the clerk of a court of summary jurisdiction.

PART II

CERTIFICATE IN ACCORDANCE WITH SECTION 189(2)
OF THE AIR FORCE ACT 1955

I certify that (*full names*)surrendered himself
at (*place*), at (*hour*), on the
day of19.... as being illegally absent from (*unit*)
..... at (*place*) on (*date*)
.....and gave the following particulars:—

No.....

Rank.....

Name.....

Unit.....

Signature of officer of police
in charge of police station
where the above-named person
surrendered or was taken on
surrender.

}

Date.....

PART III

CERTIFICATE IN ACCORDANCE WITH SECTION 190A(3)
OF THE AIR FORCE ACT 1955

I certify that:

Number.....

Rank.....

Full Names.....

Unit.....

was arrested at(*place*) at (*time*)

on the day of 19....under a warrant issued by his commanding officer pursuant to section 190A of the Air Force Act 1955.

He was/was not (*delete as appropriate*) at the time of arrest wearing the uniform of one of Her Majesty's Air Forces.

Dated this day of19....

Signature of officer of police who causes the above-named person to be delivered into air-force custody.)
)

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations, which replace the Certificates of Arrest and Surrender of Deserters and Absentees (Air Force) Regulations 1956, prescribe the forms of certificate which must be handed over with a person who is delivered into air-force custody, being a deserter or absentee from the Air Force who has been brought before a court of summary jurisdiction or who has surrendered himself to the police or a person suspected of any offence under Part II of the Air Force Act 1955 who has been arrested under a warrant issued by his commanding officer.

SI 1972/286
ISBN 0-11-020286-4

