



# Armed Forces Act 1971

## CHAPTER 33

### ARMED FORCES ACT 1971

#### PART I

##### DURATION OF SERVICES ACTS

1 .....

#### PART II

##### REVISION OF SERVICE OFFENCES AND PUNISHMENTS

###### *Misconduct in action and other offences arising out of military etc. service*

- 2 Misconduct in action, assisting the enemy, obstructing operations, etc.
- 3 Prize offences.
- 4 Offences by or in relation to sentries, persons on watch etc.
- 5 Failure to attend for duty, neglect of duty etc.
- 6 Looting

###### *Mutiny, insubordination, etc.*

- 7 Mutiny
- 8 Insurbordinate behaviour, and disobedience to lawful commands.
- 9 Obstruction of provost officers etc.
- 10 Disobedience to standing orders etc.

###### *Desertion, absence without leave, etc.*

- 11 Desertion.
- 12 Absence without leave.
- 13 Failure to report or apprehend deserters or absentees.

*Changes to legislation:* There are currently no known outstanding effects for the Armed Forces Act 1971. (See end of Document for details)

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*Malingering, drunkenness and disorderly conduct*

- 14 Malingering.
- 15 Drunkenness.
- 16 Disorderly conduct.

*Offences relating to service etc. property*

- 17 Service etc. property: damage, loss, misapplication and waste.

*Billeting offences*

- 18 Billeting offences.

*Navigation and flying offences etc.*

- 19 Loss or hazarding of ship.
- 20 Inaccurate certification of ships and aircraft.
- 21 Low flying and annoyance by flying.

*Offences relating to, and by, persons in custody*

- 22 Permitting escape, resisting arrest, and escaping.

*Miscellaneous offences*

- 23 Offences in relation to courts-martial.
- 24 Unauthorised disclosure of information.
- 25 False statements on entry into Royal Navy.
- 26 Falsification of documents
- 27 Offences against civilian population.
- 28 Offences against morale.
- 29 Scandalous conduct by officers.
- 30 Ill-treatment of persons of inferior rank etc.
- 31 Disgraceful conduct.
- 32 Attempts, aiding and abetting etc., and inciting.
- 33 Conduct to the prejudice of service discipline.
- 34 Civil offences.

*Abolition of certain offences*

- 35 Abolition of certain offences.

*Punishments*

- 36 Punishments for army and air-force offences dealt with courts-martial.
- 37 Punishments for army and air-force offences dealt with summarily.
- 38 Punishments for naval offences.
- 39 Imprisonment and detention: consecutive terms.
- 40 Detention for army and air-force offences: limitation of total period.

*Other provisions*

- 41 Time for trial of offences under s. 42 of Naval Discipline Act 1957.
- 42 Naval offences by civilians.
- 43 Consequential and minor, amendments.

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### **PART III**

#### **REVISION OF PROCEDURAL PROVISIONS, AND OTHER MATTERS RELATING TO SERVICE OFFENCES AND PUNISHMENTS**

- 44 Arrest by civil authorities.
- 45 Exclusion of enactments requiring fiat of Attorney General etc. in connection with proceedings.
- 46 Extension of powers of “higher authority” with respect to army and air-force charges.
- 47 Amendments as to summary trial for naval offences.
- 48 Amendments as to convening or ordering of court-martial.
- 49 Amendments as to procedure of courts-martial, and evidence in naval disciplinary courts.
- 50 Army and air force courts-martial: amendments as to revision and confirmation of findings.
- 51 Naval findings and sentences: amendments as to reviewing authorities.
- 52 Countries for serving of naval sentences of imprisonment and detention.
- 53 Commencement of naval sentences of imprisonment and detention.
- 54 Remission of sentences of imprisonment and detention.
- 55 Amendment of Naval Discipline Act 1957 as respects effect of taking offences into consideration.
- 56 Amendments as to deserters and absentees without leave.
- 57 Addition to Naval Discipline Act 1957 of provisions as to proof of proceedings.
- 58 Fees for copies of proceedings of army and air-force courts-martial.

### **PART IV**

#### **FORFEITURE OF PAY ETC. AND DEDUCTIONS FROM PAY**

- 59 Army and air force : new provisions for deductions in respect of judgement debts etc.
- 60 Navy: amendments as to forfeitures for illegal absence.
- 61 Navy: new provisions as to forfeitures and deductions generally, and as to deductions for civil penalties, judgement debts etc.
- 62 Amendments of provisions as to service of process in maintenance proceedings.

### **PART V**

#### **MISCELLANEOUS AMENDMENTS**

- 63 Minimum age for enlistment or entry without parental etc. consent.
- 64 Purchase of discharge from army and air force.
- 65 Forfeiture of service for naval deserters.
- 66 Redress of complaints.
- 67 Naval billeting and requisitioning.
- 68 Reductions in rank under Army Act 1955 and Air Force Act 1955.
- 69 (1) . . . . .
- 70 Taking of affidavits and declarations abroad.
- 71 Addition to Naval Discipline Act 1957 of provision indemnifying prison officers etc.
- 72 Application of Army Act 1955 and Air Force Act 1955 to passengers in H.M. ships and aircraft.

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- 73 Appeal against sentence by civilians.
- 74 Meaning of “active service” in Naval Discipline Act 1957.
- 75 Amendments for introducing naval rate, and marine rank, of warrant officer.
- 76 Sufficiency of evidence in Scottish courts.

## PART VI

### SUPPLEMENTAL

- 77 Repeals and transitional provisions.
- 78 Short title, construction and commencement.

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#### SCHEDULE 1 — AMENDMENTS ARISING FROM PART II OF THIS ACT

##### *The Army Act 1955 and the Air Force Act 1955*

- 1 (1) The amendments to be made in the Army Act...

##### *The Naval Discipline Act 1957*

- 2 (1) The amendments to be made in the Naval Discipline...

#### Schedule 2 — AMENDMENTS ABOUT APPEALS AGAINST SENTENCE

##### *Courts-Martial (Appeals) Act 1968*

- 1 (1) The Courts-Martial (Appeals) Act 1968 shall be amended as...

##### *The Army Act 1955 and the Air Force Act 1955*

- 2 Section 113(3) of the Army Act 1955 and section 113(3)...

##### *The Naval Discipline Act 1957*

- 3 Section 70(3) of the Naval Discipline Act 1957 shall be...

#### Schedule 3 — AMENDMENTS FOR INTRODUCING NAVAL RATE, AND MARINE RANK, OF WARRANT OFFICER

##### *The Naval and Marine Pay and Pensions Act 1865*

- 1 Section 2 of the Naval and Marine Pay and Pensions...

##### *The Greenwich Hospital Act 1865*

- 2 In section 5 of the Greenwich Hospital Act 1865, immediately...

##### *The Navy and Marines (Property of Deceased) Act 1865*

- 3 Section 2 of the Navy and Marines (Property of Deceased)...

##### *The Army Act 1955*

- 4 (1) Section 210 of the Army Act 1955 shall be...

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*The Naval Discipline Act 1957*

5 (1) Section 45(2)( b ) of the Naval Discipline Act...

*The Reserve Forces Act 1966*

6 .....

*The Armed Forces Act 1966*

7 In section 14(1) of the Armed Forces Act 1966, in...

SCHEDULE 4 — Repeals

**Changes to legislation:**

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