



Armed Forces Act 1976

1976 CHAPTER 52

PART I

GENERAL

1

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F1 S. 1 repealed by [Armed Forces Act 1981 \(c. 55, SIF 7:1\)](#), ss. 1(5), 28, [Sch. 5 Pt.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

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F2 [Ss. 2-4](#) repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), [Sch. 17](#); [S.I.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.**

Changes to legislation: Armed Forces Act 1976 is up to date with all changes known to be in force on or before 26 May 2023. 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

F2 Ss. 2-4 repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), [Sch. 17](#); S.I.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

F24 QARNNS and WRNS.

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Textual Amendments

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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F3 S. 5 repealed (1.4.1997) by [1996 c. 46](#), s. 35(2), SCh. 7 Pt.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F4 Ss. 6-16 repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), [Sch. 17](#); S.I.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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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

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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

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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

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

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Textual Amendments

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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

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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

Powers of civil courts

F⁴16 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

F⁵17

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.](#)

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PART III

MISCELLANEOUS AND SUPPLEMENTARY

F⁶18 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

F⁷19 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

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)

- C1** 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.

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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.
- (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.

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- (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
 - 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](#)
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- C3** Power of appointment fully exercised: 1.7.1977 appointed by [S.I. 1977/897](#)

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M7 1971 c. 33.

M8 1975 c. 24.

M9 1975 c. 25.

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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\(3\)](#)