

*Status: Point in time view as at 04/09/1996.*

*Changes to legislation: There are currently no known outstanding effects for the Revision of the Army and Air Force Acts (Transitional Provisions) Act 1955, SECOND SCHEDULE. (See end of Document for details)*

## SCHEDULES

### SECOND SCHEDULE

Section 3.

#### ADAPTATION OF ENACTMENTS

1 ..... F1

##### Textual Amendments

**F1** Sch. 2 paras. 1, 7 repealed by Naval Discipline Act 1957 (c. 53), Sch. 6

2 ..... F2

##### Textual Amendments

**F2** Sch. 2 para. 2 repealed by Mental Health (Scotland) Act 1960 (c. 61), Sch. 5

*The Regimental Debts Act, 1893 56 and 57 Vict. c. 5.*

- 3 In section twenty-nine after the definition of “prescribed” there shall be inserted — “ the expression “desert” means commit an offence against paragraph (a) of subsection (2) of section thirty-seven of the Army Act, 1955 ”,
- and for the words “the Army Act” there shall be substituted the words “ the Army Act, 1955. ”

##### Modifications etc. (not altering text)

**C1** The text of Sch. 2 paras. 3–5, 8, 9(2), 16, 17 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

*The Uniforms Act, 1894 57 & 58 Vict. c. 45.*

- 4 In section four the words “ within the meaning of the Army Act ” shall be omitted.

##### Modifications etc. (not altering text)

**C2** The text of Sch. 2 paras. 3–5, 8, 9(2), 16, 17 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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*The Criminal Evidence Act, 1898 61 & 62 Vict. c. 36.*

- 5 In section six, in subsection (1) after the words “criminal proceedings” there shall be inserted the words “ including proceedings in courts-martial ” and subsection “ (2) ” shall be omitted.

**Modifications etc. (not altering text)**

- C3** The text of Sch. 2 paras. 3–5, 8, 9(2), 16, 17 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

- 6 ..... F3

**Textual Amendments**

- F3** Sch. 2 para. 6 repealed by [Armed Forces Act 1971 \(c. 33\)](#), s. 77(2), [Sch. 4 Pt. II](#)

- 7 ..... F4

**Textual Amendments**

- F4** Sch. 2 paras. 1, 7 repealed by [Naval Discipline Act 1957 \(c. 53\)](#), [Sch. 6](#)

*The Ferries (Acquisition by Local Authorities) Act, 1919 9 & 10 Geo. 5. c. 75.*

- 8 In section four the words “ and save as provided by the Army Act ” shall be omitted.

**Modifications etc. (not altering text)**

- C4** The text of Sch. 2 paras. 3–5, 8, 9(2), 16, 17 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

*The Visiting Forces (British Commonwealth) Act, 1933 23 & 24 Geo. 5. c. 6*

- 9 (1) The power conferred by subsection (2) of section four to place members of Her Majesty’s military or air forces raised in the United Kingdom at the disposal of the service authorities of another part of the Commonwealth shall not be exercisable in relation to any person without his consent; and the limitation hereinbefore contained shall have effect in substitution for so much of paragraph (ii) of the said subsection (2) as provides that the said power shall be exercisable in relation to those forces subject to anything to the contrary in the conditions applicable to a person’s service.
- (2) In subsection (3) of section four the words “ as an officer or soldier ” shall be omitted, for the words from “the Air Force Act” to “airman” there shall be substituted the words “ air-force law ”, and for the words “the Army Act or the Air Force Act” there shall be substituted the words “ the Army Act, 1955, or the Air Force Act, 1955 ”.

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**Modifications etc. (not altering text)**

**C5** The text of Sch. 2 paras. 3–5, 8, 9(2), 16, 17 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

10 ..... **F5**

**Textual Amendments**

**F5** Sch. 2 paras. 10, 15 repealed by Statute Law (Repeals) Act 1977 (c. 18), s. 1(1), **Sch. 1 Pt. I**

11–14 ..... **F6**

**Textual Amendments**

**F6** Sch. 2 paras. 11–14, 18 repealed by Reserve Forces Act 1980 (c. 9, SIF 7:2), s. 157, **Sch. 10 Pt. II**

15 ..... **F7**

**Textual Amendments**

**F7** Sch. 2 paras. 10, 15 repealed by Statute Law (Repeals) Act 1977 (c. 18), s. 1(1), **Sch. 1 Pt. I**

*The Defamation Act, 1952 15 & 16 Geo. 6. & Eliz. 2. c. 66*

[<sup>F8</sup>16 In the Schedule, in paragraph 4, for the words “the Army Act or the Air Force Act” there shall be substituted the words “ the Army Act, 1955 or the Air Force Act, 1955 ”.]

**Textual Amendments**

**F8** Sch. 2 para. 16: entry relating to the Defamation Act 1952 repealed (4.9.1996 so far as consequential on ss. 1, 5, 6, 12, 13, 16 of the repealing Act and 1.4.1999 so far as consequential on ss. 14, 15, 17, Sch. 1 of the repealing Act) and expressed to be repealed (28.2.2000 for E.W. insofar as not already in force and 31.3.2001 for S. and otherwise *prosp.*) by 1996 c. 31, ss. 16, 19(3), **Sch. 2** (with s. 20(2)); S.I. 1999/817, **art. 2(b)**; S.I. 2000/222, **art. 3(b)**; S.I. 2001/98, **art. 3(b)**

**Modifications etc. (not altering text)**

**C6** The text of Sch. 2 paras. 3–5, 8, 9(2), 16, 17 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

*The Visiting Forces Act, 1952 15 & 16 Geo. 6. & 1 Eliz. 2. c. 66.*

17 (1) The following subsections shall be substituted for subsections (1) to (4) of section thirteen:—

“(1) Subject to the provisions of this section, sections one hundred and eighty-six to one hundred and eighty-eight and one hundred and ninety of the Army Act,

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1955 (which relate to the apprehension, custody and delivery into military custody of deserters and absentees without leave from the regular forces) shall within the United Kingdom apply in relation to deserters and absentees without leave from the forces of any country to which this section applies as they apply in relation to deserters and absentees without leave from the regular forces.

(2) The powers conferred by the said sections one hundred and eighty-six and one hundred and eighty-eight, as applied by the last foregoing subsection, shall not be exercised in relation to a person except in compliance with a request (whether specific or general) of the appropriate authority of the country to which he belongs.

(3) In sections one hundred and eighty-seven, one hundred and eighty-eight and one hundred and ninety of the Army Act, 1955, as applied by subsection (1) of this section, references to the delivery of a person into military custody shall be construed as references to the handing over of that person to such authority of the country to which he belongs, at such place in the United Kingdom, as may be designated by the appropriate authority of that country”.

(2) In section fourteen for the words “the Army Act” there shall be substituted the words “ Army Act, 1955 ”

**Modifications etc. (not altering text)**

**C7** The text of Sch. 2 paras. 3–5, 8, 9(2), 16, 17 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

18 ..... F9

**Textual Amendments**

**F9** Sch. 2 paras. 11–14, 18 repealed by Reserve Forces Act 1980 (c. 9, SIF 7:2), s. 157, Sch. 10 Pt. II

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