



# Air Force (Constitution) Act 1917

1917 CHAPTER 51 7 and 8 Geo 5

## PART I

### ESTABLISHMENT OF AIR FORCE

<sup>F13</sup> **<sup>F1</sup> Transfer ... to Air Force of members of Naval and Military Forces.**

<sup>F2</sup>(1) Any officer, warrant officer, petty officer, non-commissioned officer, or man of any of His Majesty's naval or military forces may, with his consent . . . <sup>F3</sup>, be transferred by the Air Council to the Air Force<sup>F2</sup>...

Provided that

- (a) . . . . . <sup>F4</sup>
- (b) no person transferred to the Air Force under the provisions of this section shall be liable to serve with the Air Force for any longer period than that for which he would have been liable to serve had he continued in the force from which he was transferred.

(2) Regulations made by the Air Council may provide that in the case of a person so transferred, the time during which he held a commission or served in the force from which he is transferred shall, for such purposes as may be prescribed, be aggregated with the time during which he holds a commission or serves in the Air Force, and that his entry into or enlistment in the force from which he is transferred shall, for such purposes as may be prescribed, be treated as enlistment into the Air Force.

(3) Where any person is transferred to the Air Force under this section, then for the purposes of pay, pensions, gratuity, and retired or half-pay, and of any decoration or reward dependent on length of service, any previous service with His Majesty's naval or military forces which would have counted as service towards pay, pension, gratuity, retired or half-pay, or such decoration or reward if he had not been so transferred, shall be deemed to be service with the Air Force towards pay, pension, gratuity, retired or half-pay or such decoration or reward.

<sup>F5</sup>(4) . . . . .

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**Changes to legislation:** *There are currently no known outstanding effects for the Air Force (Constitution) Act 1917, Section 3. (See end of Document for details)*

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### **Textual Amendments**

- F1** Words in [s. 3](#) repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), [s. 383\(2\)](#), [Sch. 17](#); [S.I.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](#)
- F2** Words in [s. 3\(1\)](#) 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** Words repealed by [S.I. 1964/488](#)
- F4** [S. 3\(1\)](#) proviso (*a*) repealed by [S.I. 1964/488](#)
- F5** [S. 3\(4\)](#) 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](#)

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

- C1** Functions of Air Council now exercisable by Defence Council: [Defence \(Transfer of Functions\) Act 1964 \(c. 15\)](#), [s. 1\(1\)\(b\)](#), (3)(5)
- C2** War of 1914-1918 terminated on 31st August 1921: [S.R. & O. 1921/1276 \(Rev. XVII, p. 364: 1921, p. 1348\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Air Force (Constitution) Act 1917, Section 3.