



Visiting Forces Act 1952

1952 CHAPTER 67 15 and 16 Geo 6 and 1 Eliz 2

PART II

DESERTERS AND ABSENTEES WITHOUT LEAVE

13 Apprehension and disposal of deserters and absentees without leave.

[^{F1}(1) Subject to the provisions of this section, [^{F2}sections 314 to 317 of the Armed Forces Act 2006 (which relate to the apprehension and transfer to service custody of deserters and absentees without leave who are subject to service law)] 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 [^{F3}who are subject to service law].

(2) The powers conferred by [^{F4}sections 314 and 315 of that Act], 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.

[^{F5}(3) In sections 315 to 317 of that Act as applied by subsection (1) above—

- (a) references to the transfer of a person to service custody are to be read 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;
- (b) references to the taking of a person into service custody are to be read as references to the taking of a person into the custody of such authority of the country to which he belongs as may be designated by the appropriate authority of that country.]]

[^{F6}(5)

(6) In this section references to the country to which a person belongs are references to the country from whose forces he is suspected of being, or (where he has surrendered himself) appears from his confession to be, a deserter or absentee without leave.

*Changes to legislation: There are currently no known outstanding effects
 for the Visiting Forces Act 1952, Part II. (See end of Document for details)*

F6(7)

Textual Amendments

- F1** S. 13(1)-(3) substituted for s. 13(1)-(4) by [Revision of the Army and Air Force Acts \(Transitional Provisions\) Act 1955 \(c. 20\)](#), [Sch. 2 para. 17\(1\)](#)
- F2** Words in s. 13(1) substituted (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. 16 para. 18\(2\)\(a\)](#); S.I. 2009/812, [art. 3\(a\)\(b\)](#) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, [art. 4](#)
- F3** Words in s. 13(1) substituted (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. 16 para. 18\(2\)\(b\)](#); S.I. 2009/812, [art. 3\(a\)\(b\)](#) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, [art. 4](#)
- F4** Words in s. 13(2) substituted (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. 16 para. 18\(3\)](#); S.I. 2009/812, [art. 3\(a\)\(b\)](#) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, [art. 4](#)
- F5** S. 13(3) substituted (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. 16 para. 18\(4\)](#); S.I. 2009/812, [art. 3\(a\)\(b\)](#) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, [art. 4](#)
- F6** S. 13(5)(7) repealed by [Revision of the Army and Air Force Acts \(Transitional Provisions\) Act 1955 \(c. 20\)](#), [Sch. 4](#)

14 Evidence for purposes of Part II.

For the purposes of any proceedings under or arising out of any provision of the [^{F7}Armed Forces Act 2006] as applied by the last foregoing section—

- (a) a document purporting to be a certificate under the hand of the Secretary of the [^{F8}Defence Council], stating that a request has been made for the exercise of the powers mentioned in subsection (2) of the last foregoing section, and indicating the effect of the request, shall be sufficient evidence, unless the contrary is proved, that the request has been made and of its effect; and
- (b) a document purporting to be a certificate under the hand of the officer commanding a unit or detachment of any of the forces of a country to which this section applies, stating that a person named and described therein was at the date of the certificate a deserter, or absentee without leave, from those forces shall be sufficient evidence, unless the contrary is proved, of the facts appearing from the document to be so certified.

Textual Amendments

- F7** Words in s. 14 substituted (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. 16 para. 19](#); S.I. 2009/812, [art. 3\(a\)\(b\)](#) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, [art. 4](#)
- F8** Words substituted by S.I. 1964/488

Changes to legislation:

There are currently no known outstanding effects for the Visiting Forces Act 1952, Part II.