

SCHEDULE 1

Article 3(1)

Part I

COUNTRIES SPECIFIED IN SECTION 1(1)  
(a) OF THE VISITING FORCES ACT 1952

Antigua and Barbuda.  
Australia.  
The Bahamas.  
Bangladesh.  
Barbados.  
Belize.  
Botswana.  
Brunei.  
Canada.  
The Republic of Cyprus.  
Dominica.  
Fiji.  
The Gambia.  
Ghana.  
Grenada.  
Guyana.  
India.  
Jamaica.  
Kenya.  
Kiribati.  
Lesotho.  
Malawi.  
Malaysia.  
Maldives.  
Malta.  
Mauritius.  
Namibia.  
Nauru.  
New Zealand.  
Nigeria.  
Pakistan.  
Papua New Guinea.  
Saint Christopher and Nevis.  
Saint Lucia.

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Saint Vincent and the Grenadines.  
Samoa.  
Seychelles.  
Sierra Leone.  
Singapore.  
Solomon Islands.  
South Africa.  
Sri Lanka.  
Swaziland.  
Tanzania.  
Tonga.  
Trinidad and Tobago.  
Tuvalu.  
Uganda.  
Vanuatu.  
Zambia.  
Zimbabwe.

## Part II

### COUNTRIES DESIGNATED UNDER SECTION 1(2) OF THE VISITING FORCES ACT 1952

Albania.  
Armenia.  
Austria.  
Azerbaijan.  
Belarus.  
Belgium.  
Bulgaria.  
The Czech Republic.  
Denmark.  
Estonia.  
Finland.  
France.  
Georgia.  
Germany.  
Greece.  
Hungary.  
Italy.  
Latvia.

Lithuania.  
Luxembourg.  
Kazakhstan.  
Kyrgyzstan.  
The Former Yugoslav Republic of Macedonia.  
Moldova.  
The Netherlands.  
Norway.  
Poland.  
Portugal.  
Romania.  
Russia.  
Slovakia.  
Slovenia.  
Spain.  
Sweden.  
Switzerland.  
Turkey.  
Turkmenistan.  
Ukraine.  
United States of America.  
Uzbekistan.

## SCHEDULE 2

Article 3(2)

### HEADQUARTERS TO WHICH THE ORDER APPLIES

The Headquarters of the Supreme Allied Commander Atlantic (SACLANT)  
The Supreme Headquarters Allied Powers Europe (SHAPE)  
Headquarters Allied Forces North Western Europe (AFNORTHWEST).  
Headquarters Allied Air Forces North Western Europe (AIRNORTHWEST).  
Headquarters Allied Naval Forces North Western Europe (NAVNORTHWEST).  
Headquarters Maritime Air Forces North West (MARAIRNORTHWEST).  
Headquarters Submarine Forces North West (SUBNORTHWEST).  
Headquarters Allied Forces Eastern Atlantic Area (EASTLANT).  
Headquarters Maritime Air Forces Eastern Atlantic Area (MARAIREASTLANT).  
Headquarters Submarine Forces Eastern Atlantic Area (SUBEASTLANT).  
Headquarters United Kingdom—Netherlands Amphibious Force (UKNLAF).  
Headquarters United Kingdom—Netherlands Landing Force (UKNLLF).  
The NATO Airborne Early Warning Force Headquarters and the NATO E-3A Component.

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## SCHEDULE 3

Article 5

## ENACTMENTS RELATING TO LAND

Defence Act 1842 (c. 94)	The Act shall have effect as if— <ul style="list-style-type: none"> <li>(a) (a) any reference (however so expressed) to land for the use or service of the ordnance or barrack departments included a reference to land used or to be used for the purposes of a visiting force or headquarters; and</li> <li>(b) (b) the expression “the public service” included in its meaning the purposes of a visiting force or headquarters.</li> </ul>
Section 7 of the Lands Clauses Consolidation Acts Amendment Act 1860 (c. 106)(1)	The reference to any of Her Majesty’s naval, military or air forces shall include a reference to a visiting force or headquarters.
The Military Lands Act 1892 (c. 43)	The Act shall have effect as if the expression “military purposes” (wherever it appears other than in relation to the acquisition of land by or on behalf of the Territorial Army or to land so acquired) included the purposes of a visiting force or headquarters.  In section 1(1), the reference to the military purposes of any portion of Her Majesty’s military forces shall include a reference to the purposes of a visiting force or headquarters.
The Military Lands Act 1900 (c. 56)	In section 2, the expressions “the military purpose” and “military purposes” shall include references to the purposes of a visiting force or headquarters.

## SCHEDULE 4

Article 6

## USE OF INTELLECTUAL PROPERTY RIGHTS

*Use of registered designs*

1.—(1) Subject to sub-paragraph (2), the power conferred by paragraph 1(1) of Schedule 1 to the Registered Designs Act 1949(2) on a government department, or person authorised in writing by a government department, in relation to the use of registered designs for the services of the Crown shall be exercisable for the purposes of a visiting force or headquarters to the extent that it would be exercisable if the visiting force or headquarters were a part of any of the home forces.

(1) Section 7 is subject, in its application to the Secretary of State for Defence, to modifications made by S.I. 1964/488.

(2) 1949 c. 88.

(2) Sub-paragraph (1) shall not have effect to authorise the doing in relation to a registered design of anything falling within paragraph 1(6) of Schedule 1 to the Registered Designs Act 1949.

(3) In relation to the exercise of the powers conferred by sub-paragraph (1), paragraphs 1(2) to (5) and (7) and 2 to 3 of Schedule 1 to the Registered Designs Act 1949 shall have effect with any reference in those provisions to Crown use of a registered design being construed as a reference to the use of such a design for the purposes of a visiting force or headquarters.

*Use of patented inventions*

**2.**—(1) Subject to sub-paragraph (2), the power conferred by section 55(1) of the Patents Act 1977<sup>(3)</sup> on a government department, or person authorised in writing by a government department, in relation to the use of patented inventions for the services of the Crown shall be exercisable for the purposes of a visiting force or headquarters to the extent that it would be exercisable if the visiting force or headquarters were a part of any of the home forces.

(2) Sub-paragraph (1) shall not have effect to authorise—

- (a) the doing of any act falling within section 55(1)(a)(ii) or (c) of the Patents Act 1977, or
- (b) the doing of anything which is for a purpose relating to the production or use of atomic energy or research into matters connected therewith.

(3) In relation to the exercise of the powers conferred by sub-paragraph (1), sections 55 to 58 of the Patents Act 1977 (apart from section 56(2) to (4)) shall have effect with any reference in those provisions to the use of a patented invention for the services of the Crown being construed as a reference to the use of such an invention for the purposes of a visiting force or headquarters.

*Use of articles without the licence of the design rights owner*

**3.**—(1) Subject to sub-paragraph (2), the power conferred by section 240(1) of the Copyright, Designs and Patents Act 1988<sup>(4)</sup> on a government department, or person authorised in writing by a government department, in relation to the use of articles without the licence of the design rights owner for the services of the Crown shall be exercisable for the purposes of a visiting force or headquarters to the extent that it would be exercisable if the visiting force or headquarters were a part of any of the home forces.

(2) Sub-paragraph (1) shall not have effect to authorise the doing of anything in relation to a design right which is for foreign defence purposes or health service purposes within the meaning of section 240(3) and (4) of the Copyright, Designs and Patents Act 1988.

(3) In relation to the exercise of the powers conferred by sub-paragraph (1), section 240(5) to (7) and sections 241 to 243 shall have effect with any reference in those provisions to Crown use of a design right being construed as a reference to the use of a design right for the purposes of a visiting force or headquarters.

SCHEDULE 5

Article 12(1)

ENACTMENTS EXTENDING GENERAL CROWN PRIVILEGE TO VISITING FORCES etc.

*Enactments other than those applying only in Scotland or Northern Ireland*

The Public Health Acts 1875 to 1925.

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(3) 1977 c. 37.

(4) 1988 c. 48.

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The Celluloid and Cinematograph Film Act 1922 (c. 35).  
The Petroleum (Regulation) Acts 1928 and 1936(5).  
The Public Health Act 1936 (c. 49).  
The Import, Export and Customs Powers (Defence) Act 1939 (c. 69).  
Section 95 of the Agriculture Act 1947 (c. 48).  
Section 6(1) of the Geneva Conventions Act 1957 (c. 52).  
The Weeds Act 1959 (c. 54).  
The Public Health Act 1961 (c. 64).  
The Trade Descriptions Act 1968 (c. 29).  
The Medicines Act 1968 (c. 67).  
The Firearms Acts 1968 to 1997 (save that no exemption from those Acts shall be conferred by this Order on any person other than a member of a visiting force or a military member of a headquarters).  
The Misuse of Drugs Act 1971 (c. 38).  
The Road Traffic (Foreign Vehicles) Act 1972 (c. 27).  
The Poisons Act 1972 (c. 66).  
Sections 21 to 25 and 33 to 42 of the Health and Safety at Work etc. Act 1974 (c. 37).  
The International Carriage of Perishable Foodstuffs Act 1976 (c. 58).  
The Public Passenger Vehicles Act 1981 (c. 14).  
Section 115 of the Mental Health Act 1983 (c. 20).  
The Building Act 1984 (c. 55).  
The Weights and Measures Act 1985 (c. 72).  
Section 1 of, and Schedules 1 and 2 to, the Sunday Trading Act 1994 (c. 20).

*Enactments applying only in Scotland*

The Public Health (Scotland) Acts 1897 to 1945.  
Section 35 of the Agriculture (Scotland) Act 1948 (c. 45).  
The Building (Scotland) Act 1959 (c. 24).

*Enactments applying only in Northern Ireland*

The Public Health Acts (Northern Ireland) 1872 to 1962.  
Part II of the Agriculture Act (Northern Ireland) 1949 (c. 2 (N.I.)).  
Articles 23 to 27 and 31 to 39 of the Health and Safety at Work (Northern Ireland) Order 1978 (S.I. 1978/1039 (N.I. 9)).  
The Firearms (Northern Ireland) Order 1981 (S.I. 1981/155 (N.I. 2)) (save that no exemption shall be conferred by this Order on any person other than a member of a visiting force or a military member of a headquarters).  
Articles 3 to 6, 8 and 9 of the Shops (Sunday Trading &c.) (Northern Ireland) Order 1997 (S.I. 1997/2779 (N.I. 20)).

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(5) 1928 c. 32 and 1936 c. 27.

SCHEDULE 6

Article 12(2)

ENACTMENTS CONFERRING SPECIFIC EXEMPTIONS, PRIVILEGES etc.

*Enactments other than those applying only in Scotland or Northern Ireland*

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The Gun Barrel Proof Act 1868 (1868 c.xiii)	Section 119 shall have effect as if it exempted from the operation of the Act a military barrel which is used for the purposes of a visiting force or headquarters.
The Explosives Act 1875 (c. 17)	In section 97— <ul style="list-style-type: none"><li>(a) (a) any reference to a factory, magazine, store, premises, wharf, place or explosive held for the service of the Crown shall include a reference to a factory, magazine, store, premises, wharf, place or explosive held for the purposes of a visiting force or headquarters; and</li><li>(b) (b) in paragraph (2), the reference to Her Majesty's ships, aircraft, boats and carriages shall include a reference to ships, aircraft, boats and carriages belonging to and used for the purposes of a visiting force or headquarters.</li></ul>
The Law of Property Act 1925 (c. 20)	In section 84(11)(a), the reference to naval, military or air force purposes shall include a reference to the purposes of a visiting force or headquarters.  In section 193(6), the reference to naval, military or air force purposes shall include a reference to the purposes of a visiting force or headquarters.
The Marriage Act 1949 (c. 76)	In section 68(2), the reference to a person serving in any of the regular armed forces of the Crown shall include a reference to a member of a visiting force or a military member of a headquarters.
The Fireworks Act 1951 (c. 58)	In section 5(3), the reference to the Crown shall include a reference to a visiting force or headquarters.
The Landlord and Tenant Act 1954 (c. 56)	In section 56— <ul style="list-style-type: none"><li>(a) (a) any reference to a tenancy held by or on behalf of a Government department shall include a reference to a tenancy held by or on behalf of a visiting force or headquarters; and</li></ul>

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- (b) (b) any reference to premises occupied for the purposes of a Government department shall include premises occupied for the purposes of a visiting force or headquarters.

In sections 57 and 58 of the 1954 Act, any reference to an interest in the property comprised in a tenancy held for the purposes of a Government department shall include a reference to such an interest where held for the purposes of a visiting force or headquarters; and the reference in section 57(1) to “the first-mentioned department” shall be construed accordingly.

The Army Act 1955 (c. 18)

In section 184—

- (a) (a) any reference to members of the regular forces shall include a reference to members of a visiting force or military members of a headquarters; and
- (b) (b) any reference to vehicles in military service, or horses or other animals in military service, shall include a reference to vehicles, or (as the case may be) horses or other animals, used for the purposes of a visiting force or headquarters.

The Revision of the Army and Air Force Acts (Transitional Provisions) Act 1955 (c. 20)

Paragraph 1 of Schedule 3 shall have effect as if it exempted from the operation of any enactment to which that paragraph applies the use of—

- (a) (a) any building at a camp, station or naval establishment used for the purposes of a visiting force or headquarters, or
- (b) (b) any ship in the service of such a force or headquarters,

for entertainments or amusements where held under the direction and control of an officer or committee having official responsibility for such matters.

Offices, Shops and Railway Premises Act 1963 (c. 41)

In section 84 the following shall be inserted after subsection (2)—

“(2A) This Act shall not operate to create, towards a member of a headquarters or organisation designated for the purposes of the International Headquarters and Defence Organisations Act 1964 who is a member of



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the naval, military or air forces of any country a liability in tort against the headquarters or organisation in respect of anything done or omitted by it or against another member of that headquarters or organisation in respect of anything done or omitted by him in the course of his duty”(6).

The Licensing Act 1964 (c. 26)

In section 201(1)—

- (a) (a) in the definition of “canteen”, the reference to the Secretary of State shall include a reference to a visiting force or headquarters; and
- (b) (b) in the definition of “mess”, the reference to members of Her Majesty’s naval, military or air forces shall include a reference to members of a visiting force or military members of a headquarters.

The Firearms Act 1968 (c. 27)

In section 54(1) and (2)—

- (a) (a) any reference to a person in the service of Her Majesty (including any reference to a person in the naval, military or air service of Her Majesty) shall include a reference to a member of a visiting force or a military member of a headquarters; and
- (b) (b) in subsection (2)(a), the reference to the public service shall include a reference to the service of a visiting force or headquarters.

The Food and Environment Protection Act 1985 (c. 48)

In section 20, references to land which is exclusively in Crown occupation shall include land—

- (a) (a) which is exclusively occupied for the purposes of a visiting force or headquarters; or
- (b) (b) which is occupied for the purposes of a visiting force to the extent that it is not in Crown occupation (within the meaning of section 20).

The Weights and Measures Act 1985 (c. 72)

In section 24(2)(a), the reference to Her Majesty’s forces shall include a reference to a headquarters.

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(6) This amendment was originally made by Article 12(2) of, and Schedule 3 to, the Visiting Forces and International Headquarters (Application of Law) Order 1965.

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The Agricultural Holdings Act 1986 (c. 5)	In paragraph 4(1)(a) of Schedule 12, the reference to naval, military or air force purposes shall include a reference to the purposes of a visiting force or headquarters.
The Food Safety Act 1990 (c. 16)	In section 54— <ul style="list-style-type: none"><li>(a) (a) in subsection (2), the reference to the Crown shall include a reference to a visiting force or headquarters; and</li><li>(b) (b) in subsection (4), the reference to Crown premises shall include a reference to premises used for the purposes of a visiting force or headquarters.</li></ul>

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*Enactments applying only in Scotland*

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The Public Health (Scotland) Act 1897 (c. 38)	<p>In section 73(4) the reference to any tent, van, shed or structure, erected or used by any portion of Her Majesty's naval or military forces shall include a reference to any tent, van, shed or structure, erected or used by a visiting force or headquarters.</p> <p>In section 194 the reference to any building, structure or work vested in, or in the occupation of, any department of Her Majesty's government for public purposes or for the public service shall include a reference to any building, structure or work vested in, or in the occupation of, any visiting force or any headquarters for the purposes of that force or headquarters.</p>
The Licensing (Scotland) Act 1976 (c. 66)	<p>In sections 54(3)(j) and 87(3)—</p> <ul style="list-style-type: none"><li>(a) (a) the reference to any canteen in which the sale of intoxicating liquor is carried on under the authority of the Secretary of State shall include a reference to a canteen in which the sale of intoxicating liquor is carried on under the authority of a visiting force or headquarters; and</li><li>(b) (b) the reference to an authorised mess of members of Her Majesty's naval, military or air forces shall include a reference to an authorised mess of members of a visiting force or of the military members of a headquarters.</li></ul>

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*Enactments applying only in Northern Ireland*

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<a href="#">The Housing of the Working Classes Act 1885 (c. 72)</a>	In section 9(7), the reference to any tent, van, shed or structure erected or used by any portion of Her Majesty's military forces shall include a reference to any tent, van, shed or structure erected or used by a visiting force or headquarters.
<a href="#">The Public Health (Ireland) Act 1896 (c. 54)</a>	In section 32, the reference to buildings, offices and premises vested in or in occupation of Her Majesty shall include a reference to buildings, offices and premises used for the purposes of a visiting force or headquarters.
<a href="#">The Rates (Northern Ireland) Order 1977 (S.I. 1977/2157 (N.I. 28))</a>	In article 41(2)(a), the reference to any hereditament which is altogether of a public nature and is occupied and used for the purposes of the public service shall include a reference to a hereditament which is occupied and used for the purposes of a visiting force or headquarters in pursuance of arrangements made in that behalf with any government department.
<a href="#">The Firearms (Northern Ireland) Order 1981 (S.I. 1981/155 (N.I. 2))</a>	<p>In article 57—</p> <ul style="list-style-type: none"><li>(a) (a) in paragraph (1), the reference to a person in the service of the Crown;</li><li>(b) (b) in paragraph (2)(a), the reference to a person in the service of the Crown in right of Her Majesty's Government in the United Kingdom; and</li><li>(c) (c) in paragraph (2)(c), the reference to a person in the naval, military or air service of the Crown.</li></ul> <p>shall include a reference to a member of a visiting force or a military member of a headquarters.</p> <p>In article 57(2)(a), the reference to the public service shall include a reference to the service of a visiting force or headquarters.</p>
<a href="#">The Food Safety (Northern Ireland) Order 1991 (S.I. 1991/762 (N.I. 7))</a>	<p>In article 49—</p> <ul style="list-style-type: none"><li>(a) (a) in paragraph (2), the reference to the Crown shall include a reference to a visiting force or headquarters; and</li><li>(b) (b) in paragraph (4), the reference to Crown premises shall include</li></ul>

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a reference to premises used for the purposes of a visiting force or headquarters.

The Licensing (Northern Ireland) Order 1996 (S.I. 1996/3158 (N.I. 22)) In article 84(b)—

- (a) (a) the reference to any canteen in which the sale of intoxicating liquor is carried on under the authority of the Secretary of State shall include a reference to a canteen in which the sale of intoxicating liquor is carried on under the authority of a visiting force or headquarters; and
- (b) (b) the reference to a mess of members of Her Majesty's naval, military or air forces shall include a reference to a mess of members of a visiting force or of the military members of a headquarters.

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## SCHEDULE 7

Article 16

### PROVISIONS RELATING TO SERVICE COURTS OF VISITING FORCES

1.—(1) This paragraph applies to any person who is not subject to—

- (a) the Naval Discipline Act 1957, military law or air-force law, or
- (b) the jurisdiction of the service courts and service authorities of a country in respect of which section 8 of the Visiting Forces Act 1952 has effect.

(2) For the purposes of this paragraph, a person is subject to the jurisdiction of the service courts and service authorities of a country if he falls within the description of such persons in section 2(2) of the Visiting Forces Act 1952.

2. This paragraph applies to any person who is subject to the Naval Discipline Act 1957, military law or air-force law.

3.—(1) Where any person to whom paragraph 1 or 2 applies is required to give evidence in any proceedings before a service court, an officer of any of the home forces may summons him by issuing a witness summons.

(2) An officer shall not issue a witness summons requiring the attendance of a person falling within paragraph 1 if he considers either—

- (a) that it is not reasonably practical to procure the person's attendance; or
- (b) that provision for the reasonable expenses of his attendance has not been, or will not be, made.

(3) Before issuing a witness summons, the officer shall afford the person to whom it relates an opportunity of making representations, including oral representations, with respect to whether or not the summons should be issued; and, where the person chooses to make oral representations, he may be represented at any hearing held for that purpose.

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- (4) A witness summons issued under this paragraph shall state—
- (a) the proceedings in respect of which the summons is issued and the nature of the hearing at which the person’s attendance is required;
  - (b) the powers under which the summons is issued;
  - (c) the place at which, and the time and date on which, the person is to attend; and
  - (d) where the person will be required to produce any document or other thing, a description of that document or thing.
- (5) A witness summons issued under this paragraph shall be served on the witness—
- (a) by delivering it to him personally;
  - (b) by leaving it for him with a person at the witness’s usual place of abode;
  - (c) by post in a letter addressed to him at his last known or usual place of abode; or
  - (d) where paragraph 2 applies to the witness, through his commanding officer.

4.—(1) In relation to a person summoned to attend a service court by virtue of this Schedule, the relevant enactment shall (subject to sub-paragraph (2)) apply as if the service court were a court-martial and the proceedings were proceedings under the relevant Act; and any reference in that enactment to anything duly required or lawfully required, or to anything required or falling to be done under the relevant Act or any of its provisions, shall be construed accordingly.

(2) A person shall not be guilty of an offence under the relevant enactment by virtue of his refusing to answer any question or to produce any document, if he could not be required to answer such a question or produce such a document were the proceedings before such a court-martial.

- (3) In this paragraph “the relevant enactment” means—
- (a) in relation to a person to whom paragraph 1 applies, section 101 of the Army Act 1955 (which relates to offences by civilians in relation to courts-martial);
  - (b) in relation to a person to whom paragraph 2 applies by virtue of his being subject to the Naval Discipline Act 1957, section 36(1) of that Act (which relates to offences in relation to courts-martial by persons subject to that Act); and
  - (c) in relation to a person to whom paragraph 2 applies by virtue of his being subject to military or air-force law, section 57(1) of the Army Act 1955 or (as the case may be) of the Air Force Act 1955 (both of which relate to offences in relation to courts-martial by persons subject to military or, as the case may be, air-force law),

and “the relevant Act” means (as the case may be) the Naval Discipline Act 1957, the Army Act 1955 or the Air Force Act 1955.

5.—(1) A witness before a service court shall be entitled to the same immunities and privileges as he would be if he were a witness in proceedings before a court-martial held in pursuance of the Naval Discipline Act 1957, the Army Act 1955 or the Air Force Act 1955.

(2) Any enactment or rule of law with respect to privilege in proceedings for defamation shall apply in relation to a service court as it applies in relation to a court-martial held in pursuance of the Naval Discipline Act 1957, the Army Act 1955 or the Air Force Act 1955.

6. In this Schedule, “military law” and “air-force law” shall be construed in accordance with the Army Act 1955 and the Air Force Act 1955 respectively.

SCHEDULE 8

Article 17

CUSTODY, DETENTION AND TREATMENT OF PERSONS  
SENTENCED BY SERVICE COURTS OF VISITING FORCES

1.—(1) Where a person has been sentenced to any form of custody by a service court, and is being removed from the United Kingdom to another country, he may in the circumstances specified in sub-paragraph (2) be detained for a period not exceeding seven days at such establishment in the United Kingdom as may be determined in accordance with the following provisions of this Schedule.

(2) The circumstances referred to in sub-paragraph (1) are that—

- (a) a written request has been made by the service authorities of the country to which the person belongs, and
- (b) his temporary detention in the United Kingdom has been authorised by the Secretary of State.

2. Where a person has been sentenced to any form of imprisonment, he may be detained in any prison or establishment in which a person sentenced to imprisonment by a court-martial under the Naval Discipline Act 1957, the Army Act 1955 or the Air Force Act 1955 may be detained, or in naval, military or air-force custody.

3. Where, in the case of a person who is a member of a visiting force or a military member of a headquarters, he has been sentenced to any other form of custody, he may be detained in any naval, military or air-force establishment in which a person sentenced to detention by a court-martial under the Naval Discipline Act 1957, the Army Act 1955 or the Air Force Act 1955 may be detained, or in naval, military or air-force custody.

4. The Defence Council may make arrangements with a visiting force as to the reception from, and return to, the force of persons to be detained under this Schedule.

5. The provisions of any enactment, or of any instrument having effect under an enactment, with respect to the treatment of persons detained in prisons or other establishments mentioned in the foregoing provisions of this Schedule (including any provisions relating to unsoundness of mind) shall apply—

- (a) in relation to any person detained in pursuance of this Schedule in a civil prison, as if he were a person sentenced by a court of the United Kingdom to imprisonment for the like term as the term of the sentence of the service court;
- (b) in relation to a person sentenced by a service court to any form of imprisonment and detained as aforesaid in any naval, military or air-force establishment, as if he were a person sentenced by a court-martial under the Naval Discipline Act 1957, the Army Act 1955 or the Air Force Act 1955, as the case may be, to imprisonment for the same term as the term of the sentence of the service court;
- (c) in relation to a person sentenced by a service court to any other form of custody and detained as aforesaid in any naval, military or air-force establishment, as if he were a person sentenced by a court-martial under the Naval Discipline Act 1957, the Army Act 1955 or the Air Force Act 1955, as the case may be, to detention for the same term as the term of the sentence of the service court.

6.—(1) The powers of arrest conferred by section 186(1) to (3) of the Army Act 1955 (“the 1955 Act”) shall in the United Kingdom be exercisable in relation to a member of a visiting force or a military member of a headquarters detained in pursuance of this Schedule, where that person is at large in circumstances in which those powers would be exercisable in relation to him if he were a member of the regular forces (within the meaning of section 225(1) of the 1955 Act).

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(2) Where a member of a visiting force or a military member of a headquarters who has been detained in pursuance of this Schedule is at large in circumstances in which the powers of arrest under section 186 of that Act would be exercisable in relation to him if he were a member of the regular forces (within the meaning of section 225(1) of the 1955 Act), section 188 of the 1955 Act shall apply to him as it applies to a member of the regular forces who is illegally absent therefrom.

(3) Subject to sub-paragraph (4), sections 186(4), 187 and 190 shall apply to a person arrested in pursuance of sub-paragraph (1), and a person to whom section 188 of the 1955 Act applies by virtue of sub-paragraph (2).

(4) Sections 187 and 190 shall have effect in relation to a person to whom sub-paragraph (3) applies subject to the following modifications—

- (a) in section 187(1), the reference to a person alleged to be an officer, warrant officer, non-commissioned officer or soldier of the regular forces who is absent without leave shall include a reference to a person who is alleged to be a member of a visiting force or a military member of a headquarters detained in pursuance of this Schedule;
- (b) in sections 187(2) and 190(1), the words “from the regular forces” shall be omitted;
- (c) in section 187(3), for the words from “and if satisfied” to “absence without leave” there shall be substituted “and if satisfied that he is a person authorised to be detained in pursuance of Schedule 8 to the Visiting Forces and International Headquarters (Application of Law) Order 1999”;
- (d) there shall be substituted for section 187(4A)—
 

“(4A) For the purposes of any proceedings under this section, a certificate which states that a person is authorised to be detained in pursuance of Schedule 8 to the Visiting Forces and International Headquarters (Application of Law) Order 1999, and purports to be signed by an officer of any of Her Majesty’s forces, shall be evidence of the matters so stated.”;

 and
- (e) in sections 187 and 190, any reference to military custody shall include a reference to naval or air-force custody.

## SCHEDULE 9

Article 19

### REVOCATION OF INSTRUMENTS

(1) <i>Title of instrument</i>	(2) <i>Reference</i>	(3) <i>Extent of revocation</i>
The Visiting Forces and International Headquarters (Application of Law) Order 1965	<a href="#">S.I. 1965/1536</a>	The whole Order.
The Visiting Forces and International Headquarters (Application of Law) (Amendment) Order 1987	<a href="#">S.I. 1987/928</a>	The whole Order.
The Visiting Forces and International Headquarters (Application of Law) (Amendment) Order 1989	<a href="#">S.I. 1989/1330</a>	The whole Order.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(1) <i>Title of instrument</i>	(2) <i>Reference</i>	(3) <i>Extent of revocation</i>
The Pressure Systems and Transportable Gas Containers Regulations 1989	<a href="#">S.I. 1989/2169</a>	In Part IV of Schedule 6, the entry relating to the Visiting Forces and International Headquarters (Application of Law) Order 1965.
The Visiting Forces and International Headquarters (Application of Law) (Amendment) Order 1994	<a href="#">S.I. 1994/1643</a>	The whole Order.
The Visiting Forces and International Headquarters (Application of Law) (Amendment) Order 1998	<a href="#">S.I. 1998/253</a>	The whole Order.