

*Status:* This version of this schedule contains provisions that are prospective.

*Changes to legislation:* There are currently no known outstanding effects for the Armed Forces Act 2001, SCHEDULE 7. (See end of Document for details)

## SCHEDULES

### SCHEDULE 7

Section 38

#### REPEALS

#### PART 1

#### REPEALS RELATING TO ABOLITION OF NAVAL DISCIPLINARY COURTS

<i>Short title and chapter</i>	<i>Extent of repeal</i>
The Criminal Evidence Act 1898 (c. 36)	In section 6(1), the words “and disciplinary courts”.
The Army Act 1955 (c. 18)	In section 57(3), the words “or disciplinary court”.
The Air Force Act 1955 (c. 19)	In section 57(3), the words “or disciplinary court”.
The Naval Discipline Act 1957 (c. 53)	In section 38(2), the words “and to a disciplinary court”. Section 52C(5). Section 52G. Section 65(4). Section 70(7). In section 73, the words “and disciplinary courts”. In section 76(6)(a), the words “or disciplinary court”. In section 77(1), the words “or disciplinary court”. In section 95(2), the words “and to disciplinary courts”. In section 129(1), the words “or disciplinary court”, in both places where they occur. In Schedule 5, in the entries relating to section 57 of the Army Act 1955 and section 57 of the Air Force Act 1955, the words from “after the word” to “court”, and”.
The Courts-Martial (Appeals) Act 1968 (c. 20)	In section 57(1), in the definition of “naval court-martial”, the words “, and includes a disciplinary court”.
The Civil Evidence Act 1968 (c. 64)	In section 11(6), the words from “or a disciplinary” to “Act of 1957”.

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The Civil Evidence Act (Northern Ireland) 1971 (c. 36 (N.I.))	In section 7(6), the words from “or a disciplinary” to “Act of 1957” and the words “disciplinary court”.
The Police and Criminal Evidence Act 1984 (c. 60)	In section 67(12)(a), the words from “or a disciplinary” to “1957”. In section 82(1), in the definition of “court-martial”, the words from “or a disciplinary” to “Act of 1957”. In section 113(11)(a), the words from “or a disciplinary” to “Act of 1957”.
The Criminal Justice Act 1988 (c. 33)	In section 146, the words from “disciplinary” to “1957”,. In Schedule 13, in paragraph 1, in paragraph (b) of the definition of “Service courts”, the words from “and disciplinary” to “that Act” and in paragraph 7(b) the words from “or disciplinary” to “that Act”.
The Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12))	In Article 66(11)(a), the words from “or a disciplinary” to “1957”. In Article 70(2)(b), head (ii) and the word “or” immediately preceding it.
The Criminal Justice and Public Order Act 1994 (c. 33)	Section 39(2)(g).
The Northern Ireland (Emergency Provisions) Act 1996 (c. 22)	In section 54(9), in the definition of “criminal proceedings”, the words from “or a disciplinary” to “1957 Act”.
The Armed Forces Act 1996 (c. 46)	In section 11(4), paragraph (b) of the definition of “service disciplinary proceedings”. In Schedule 1, paragraphs 100, 105, 108, 109(2)(c) and (4)(a) and 111.
The Police Act 1997 (c. 50)	In section 108(1), in paragraph (a) of the definition of “criminal proceedings” the words from “or a disciplinary” to “Act of 1957”.
The Youth Justice and Criminal Evidence Act 1999 (c. 23)	In section 63(1), in paragraph (a) of the definition of “service court”, the words from “or a disciplinary” to the end.
The Terrorism Act 2000 (c. 11)	In section 101(9), in the definition of “criminal proceedings”, the words from “or a disciplinary” to “1957 Act”.
The Regulation of Investigatory Powers Act 2000 (c. 23)	In section 81(4)(a), sub-paragraph (ii) and the word “or” immediately preceding it.
The Freedom of Information Act 2000 (c. 36)	In section 29(5), in paragraph (a) of the definition of “criminal proceedings”, the words from “or a disciplinary” to “of 1957”.

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PROSPECTIVE

## PART 2

### REPEALS RELATING TO REQUIRED CUSTODIAL SENTENCES

<i>Short title and chapter</i>	<i>Extent of repeal</i>
The Crime (Sentences) Act 1997 (c. 43)	Section 55(2). In Schedule 4, paragraphs 1(1) and (4), 2(1) and (4) and 3(1) and (4).
The Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)	In Schedule 9, paragraphs 8, 13 and 18.

## PART 3

### REPEALS RELATING TO ABOLITION OF OFFICE OF DEPUTY JUDGE ADVOCATE

#### Commencement Information

**II** Sch. 7 Pt. 3 in force at 1.10.2001 by S.I. 2001/3234, art. 2 (subject to art. 3)

<i>Short title and chapter</i>	<i>Extent of repeal</i>
The Courts-Martial (Appeals) Act 1951 (c. 46)	In section 30(1)(b), the words “, and such number of officers to be known as Deputy Judge Advocates,” and the words “in each case”. In section 31— (a) in subsection (2), paragraph (d) and the word “or” which precedes it, and (b) subsection (3).
The Courts and Legal Services Act 1990 (c. 41)	In Schedule 11, in the entry relating to an Assistant or Deputy Judge Advocate General, the words “or Deputy”.
The Judicial Pensions and Retirement Act 1993 (c. 8)	In section 27(3), paragraph (f).

## PART 4

### REPEALS CONSEQUENTIAL ON HUMAN RIGHTS ACT 1998

<i>Short title and chapter</i>	<i>Extent of repeal</i>
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The Army Act 1955 (c. 18)

In section 31, subsection (1) and, in subsection (2), the words “, in a case not falling within the last foregoing subsection”.

In section 68, the proviso.

In section 70(3), paragraph (a).

In section 71(1), paragraph (a).

In section 71A(3), the words from “, nor shall sentence of death” to “when the offence was committed”.

In section 85(2), the words “of death or”.

In section 96, subsections (3) and (4).

Section 112.

Section 113(6).

Section 121.

In section 123—

In section 85(2), the words “of death or”.

—*cont.*

(a) in subsection (1), the words “Regulations under section one hundred and twenty-one of this Act or” and the words “regulations or”, and

(b) in subsection (2), the words “regulations or”.

In section 125—

(a) in subsection (1), the words “death or” and the words “regulations under section one hundred and twenty-one of this Act or of”, and

(b) subsection (2).

In section 126—

(a) in subsection (1), the words from “sentences of death” to “authorities and”, and

(b) in subsection (3), the words “no sentence of death passed by a court-martial shall be executed, and”.

Section 128(1).

In section 129 (1) the words—

(a) “regulations under section one hundred and twenty-one of this Act or”,

(b) “regulations or”, and

(c) “execution of the sentence is completed or”.

In section 209(3)(a)(i), after the word “paragraphs”, the letter “(a)”,.

Section 214(3).

Section 215(4).

In Schedule 5A—

(a) in the Table at paragraph 15, the first entry in each of the first and second columns, and

(b) in the Note to the Table, the words from the “or” at the end of paragraph (a) to “first and second columns, and”.

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The Air Force Act 1955 (c. 19)

In section 31, subsection (1) and, in subsection (2), the words “, in a case not falling within the last foregoing subsection”.

In section 68, the proviso.

In section 70(3), paragraph (a).

In section 71(1), paragraph (a).

In section 71A(3), the words from “, nor shall sentence of death” to “when the offence was committed”.

In section 85(2), the words “of death or”.

In section 96, subsections (3) and (4).

Section 112.

Section 113(6).

Section 121.

In section 123—

(a) in subsection (1), the words “Regulations under section one hundred and twenty-one of this Act or” and the words “regulations or”, and

(b) in subsection (2), the words “regulations or”.

In section 125—

(a) in subsection (1), the words “death or” and the words “regulations under section one hundred and twenty-one of this Act or of”, and

(b) subsection (2).

In section 126—

(a) in subsection (1), the words from “sentences of death” to “those authorities and”, and

(b) in subsection (3), the words “no sentence of death passed by a court-martial shall be executed, and”.

Section 128(1).

In section 129 (1) the words—

(a) “regulations under section one hundred and twenty-one of this Act or”,

(b) “regulations or”, and

(c) “execution of the sentence is completed or”.

In section 209(3)(a)(i), after the word “paragraphs”, the letter “(a)”,.

Section 212(3).

Section 213(4).

In Schedule 5A—

(a) in the Table at paragraph 15, the first entry in each of the first and second columns, and

(b) in the Note to the Table, the words from the “or” at the end of paragraph (a) to “first and second columns, and”.

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The Naval Discipline Act 1957 (c. 53)	<p>In section 9, subsection (1) and, in subsection (2), the words “not described in the foregoing subsection”.</p> <p>In section 10, the words from “, if the offence is committed” to “in any other case,”.</p> <p>In section 40, the proviso to the section.</p> <p>In section 42(1), paragraph (a).</p> <p>In section 43(1), paragraph (a).</p> <p>In section 43A(3), the words from “nor shall sentence of death” to “when the offence was committed”.</p> <p>In section 62, subsections (4) and (5).</p> <p>Section 70(6).</p> <p>Sections 78 to 80.</p> <p>Section 123(4).</p> <p>Section 124(2).</p> <p>In section 125(2), the words “80 and”.</p> <p>In Schedule 4A—</p> <p>(a) in the Table at paragraph 15, the first entry in each of the first and second columns, and</p> <p>(b) in the Note to the Table, the words from the “or” at the end of paragraph (a) to “first and second columns, and”.</p>
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## PART 5

### REPEALS CONSEQUENTIAL ON YOUTH JUSTICE AND CRIMINAL EVIDENCE ACT 1999

<i>Short title and chapter</i>	<i>Extent of repeal</i>
The Army Act 1955 (c. 18)	Section 200A.
The Air Force Act 1955 (c. 19)	Section 200A.
The Courts-Martial (Appeals) Act 1968 (c. 20)	Section 37A.
The Armed Forces Act 1976 (c. 52)	In Schedule 3, paragraph 17A.
The Police and Criminal Evidence Act 1984 (c. 60)	In Schedule 6, paragraphs 28(4), 29(4), 34 and 36.

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## PART 6

### REPEALS RELATING TO QUEEN ALEXANDRA’S ROYAL NAVAL NURSING SERVICE

<i>Short title and chapter</i>	<i>Extent of repeal</i>
The Naval Discipline Act 1957 (c. 53)	In section 111, in subsection (1), the words “and Queen Alexandra’s Royal Naval Nursing Service” and, in subsection (2), the

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	words “or of Queen Alexandra’s Royal Naval Nursing Service”.
	In section 132(5), the words “Queen Alexandra’s Royal Naval Nursing Service”.
The Armed Forces Act 1976 (c. 52)	In section 6(9)(b), the words “or Queen Alexandra’s Royal Naval Nursing Service”.
The Armed Forces Act 1981 (c. 55)	Section 20(2). Part 3 of Schedule 3.

## PART 7

### OTHER REPEALS

#### Commencement Information

- I2** [Sch. 7 Pt. 7](#) partly in force at 1.9.2001 see [s. 39\(4\)](#); [Sch. 7 Pt. 7](#) in force insofar as not already in force with the exception of certain repeals at 1.10.2001 by [S.I. 2001/3234](#), [art. 2](#) (subject to [art. 3](#))

<i>Short title and chapter</i>	<i>Extent of repeal</i>
The Marriage Act 1949 (c. 76)	In section 68(3), the words from “and the expression” to the end.
The Army Act 1955 (c. 18)	In section 75L(2), the word “or” at the end of paragraph (a). Section 209(3C). Paragraph 2A(13) of Schedule 5A. In paragraph 9 of Schedule 6, the words “and one hundred and eighty”.
The Air Force Act 1955 (c. 19)	In section 75L(2), the word “or” at the end of paragraph (a). Section 209(3C). Paragraph 2A(13) of Schedule 5A. In paragraph 9 of Schedule 6, the words “and one hundred and eighty”.
The Naval Discipline Act 1957 (c. 53)	In section 12A(1), the words “on conviction by court-martial”. In section 42(1), the words “subject to section 43A below be liable”. In section 47M(2), the word “or” at the end of paragraph (a). Paragraph 4B of Schedule 4.
The Courts-Martial (Appeals) Act 1968 (c. 20)	In section 42, in subsection (1) the words “to whom this section applies”, and subsection (2).
The Sexual Offences (Amendment) Act 1992 (c. 34)	In section 7(2), paragraph (f) and the word “and” preceding it.
The Reserve Forces Act 1996 (c. 14)	In section 41(4), the word “been”.

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The Armed Forces Act 1996 (c. 46)

Section 1.

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