



# Army Act 1955

## CHAPTER 18

### ARMY ACT 1955

#### PART I

#### ENLISTMENT AND TERMS OF SERVICE

##### *Enlistment*

- 1 Recruiting officers.
- 2 Enlistment.

##### *Appointment to corps and transfer from one corps to another*

- 3 Enlistment for general or corps service and appointment to and transfer between corps.
- 4—7 .....

##### *Extension of service*

- 8 .....
- 9 Postponement in certain cases of discharge or transfer to the reserve.
- 10 (1) If it appears to Her Majesty that national danger...

##### *Discharge and transfer to reserve*

- 11 Discharge.
- 12 Transfer to the reserve.
- 13 Postponement of discharge or transfer pending proceedings for offences.
- 14 .....
- 15 Right of warrant officer to discharge on reduction to ranks.
- 16 .....

*Status: Point in time view as at 19/08/2004.*

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*Miscellaneous and supplementary provisions*

- 17 Forfeiture of service for desertion and restoration of forfeited service.
- 18 Validity of attestation and enlistment.
- 19 False answers in attestation paper.
- 20 .....
- 21 Service of aliens in regular forces.
- 22 Regulations as to enlistment.
- 23 Interpretation of Part I.

**PART II**

DISCIPLINE AND TRIAL AND PUNISHMENT OF MILITARY OFFENCES

*Misconduct in action and other offences arising out of military service*

- 24 Misconduct in action.
- 25 Assisting the enemy.
- 26 Obstructing operations, giving false air signals, etc.
- 27 Prize offences by commanding officers.
- 28 Other prize offences.
- 29 Offences by or in relation to sentries, persons on watch, etc.
- 29A Failure to attend for duty, neglect of duty, etc.
- 30 Looting.

*Mutiny and insubordination*

- 31 Mutiny.
- 32 Failure to suppress mutiny.
- 33 Insubordinate behaviour.
- 34 Disobedience to lawful commands.
- 34A Failure to provide a sample for drug testing.
- 35 Obstruction of provost officers.
- 36 Disobedience to standing orders.

*Desertion, absence without leave, etc.*

- 37 Desertion.
- 38 Absence without leave.
- 39 Failure to report or apprehend deserters or absentees.
- 40, 41 .....

*Malingering and drunkenness*

- 42 Malingering.
- 43 Drunkenness.

*Disorderly conduct*

- 43A Fighting, threatening words, etc.

*Offences relating to property*

- 44 Damage to, and loss of, public or service property, etc.
- 44A Damage to, and loss of, Her Majesty's aircraft or aircraft material.
- 44B Interference etc. with equipment, messages or signals.
- 45 Misapplication and waste of public or service property.

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46 Offences relating to issues and decorations.

*Offences relating to billeting and requisitioning of vehicles*

47 Billeting Offences.

48 Offences in relation to requisitioning of vehicles.

*Flying etc. offences*

48A Loss or hazarding of ship.

49 Dangerous flying, etc.

50 Inaccurate certification.

51 Low flying.

52 Annoyance by flying.

*Offences relating to, and by, persons in custody*

53 .....

54 Permitting escape, and unlawful release of prisoners.

55 Resistance to arrest.

56 Escape from confinement.

*Offences in relation to courts-martial and civil authorities*

57 Offences in relation to courts-martial.

58 .....

59 .....

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60 Unauthorised disclosure of information.

61 Making of false statements on enlistment.

62 Making of false documents.

63 Offences against civilian population.

63A Offences against morale.

64 Scandalous conduct by officers.

65 Ill-treatment of officers or men of inferior rank.

66 Disgraceful conduct.

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68 Attempts to commit military offences.

68A Aiding and abetting etc., and inciting.

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70 Civil offences.

*Punishments available to courts-martial*

71 Scale of punishments, and supplementary provisions.

71A Juveniles.

71AA Young service offenders: custodial orders.

71AB Reasons to be given where custodial sentence awarded to young offender.

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79 Further proceedings on charges against officers and warrant officers.  
80 Directions by higher authority for dismissal of charges or stay of proceedings.  
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*The prosecuting authority*

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- 83C Prosecuting officers.

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- 85A Powers of court-martial where accused elected court-martial trial.
- 86 Officers having power to convene courts-martial.
- 87 Constitution of general courts-martial.
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- 93 Administration of oaths.
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- 95 Dissolution of courts-martial.
- 96 Decisions of courts-martial.
- 97 Finding and sentence.
- 98 Power to convict of offence other than that charged.
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- 113 Review of findings and sentences of courts-martial.
- 113AA Powers of the reviewing authority.
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- 115 Review of summary findings and awards

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- 117 Saving for functions of Judge Advocate General.

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- 118A Consecutive terms of imprisonment and detention.
- 119 Duration of sentences of imprisonment and detention.
- 119A Limitation of total period of sentences of detention.
- 120 Suspension of sentences.
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- 124 Restrictions on serving of sentences of detention in prisons.
- 125 Special provisions as to civil prisons in the United Kingdom.
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- 127 Country in which sentence of imprisonment or detention to be served.
- 128 Application of enactments relating to coroners.
- 129 Duties of governors of prisons and others to receive prisoners.
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- 131 Trial and punishment of offences under military law notwithstanding offender ceasing to be subject to military law.
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- 133 Jurisdiction of civil courts
- 133A Financial penalty enforcement orders.
- 134 Persons not to be tried under this Act for offences already disposed of.

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- 136 Inquiries into absence.
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- 138 Restitution or compensation for theft, etc.
- 139 Appointment of judge advocates.
- 140 Promulgation.
- 141 Custody of proceedings of courts-martial and right of accused to a copy thereof.
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- 142 Indemnity for prison officers, etc.

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- 143 Interpretation of Part II.

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- 144 Forfeitures and deductions: general provisions.
- 145 Forfeiture of pay for absence from duty.
- 146 Where a person sentenced or ordered by a civil court...
- 147 Compensation for loss occasioned by wrongful act or negligence.
- 148 Deductions for barrack damage.
- 149 Remission of forfeitures and deductions.
- 150 Enforcement of maintenance and affiliation orders by deduction from pay.
- 150A Enforcement of maintenance assessment by deductions from pay.
- 150AA Enforcement of maintenance assessment by deductions from pay.
- 151 Deductions from pay for maintenance of wife or child.
- 151A Deductions from pay in respect of judgment debts etc.
- 152 Limit of deductions under ss. 150 and 151 and effect on forfeiture.
- 153 Service of process in maintenance proceedings.

### **PART IV**

#### **BILLETING AND REQUISITIONING OF VEHICLES**

#### *Billeting*

- 154 Billeting requisitions.
- 155 Premises in which billets may be provided.
- 156 Provision of billets.
- 157 Billeting schemes.
- 158 Accommodation to be provided and payment therefor.
- 159 Appeals against billeting.
- 160 Compensation for damage.

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- 161 Refusal to receive persons billeted, etc.
- 162 Application to civilians employed with the forces.
- 163 Local authority.
- 164 Suspension of laws against billeting.

*Requisitioning of vehicles*

- 165 Requisitioning orders.
- 166 Provision of vehicles.
- 167 Period for which vehicles to be furnished.
- 168 Payment for vehicles furnished.
- 169 Avoidance of hardship in requisitioning of vehicles.
- 170 Record and inspection of mechanically-propelled vehicles.
- 171 Enforcement of provisions as to requisitioning.
- 172 Application to horses, food, forage and stores.
- 173 Liability of Crown for damage by vehicles being delivered for requisitioning.

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- 174 Bringing into operation of ss. 154 and 165.
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**PART V**

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- 177 Powers of command.
- 178 Powers of command of members of co-operating naval or air forces.

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- 179 Attachment of members of military forces to naval or air forces.

*Redress of complaints*

- 180 Redress of complaints.
- 181 Complaints by warrant officers, non-commissioned officers and soldiers.

*Exemptions for members of regular forces*

- 182 Officers on active list not to be sheriffs.
- 183 .....
- 184 Exemptions from tolls, etc.
- 185 Exemption from taking in execution of property used for military purposes.

*Provisions relating to deserters and absentees without leave*

- 186 Arrest of deserters and absentees without leave.
- 187 Proceedings before a civil court where persons suspected of illegal absence.
- 188 Deserters and absentees without leave surrendering to police.



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- 189 Certificates of arrest or surrender of deserters and absentees.
- 190 Duties of governors of prisons and others to receive deserters and absentees.

*Further powers of arrest of civil authorities*

- 190A Arrest under warrants of commanding officers.
- 190B Arrest of persons unlawfully at large.

*Offences relating to military matters punishable by civil courts*

- 191 Punishment for pretending to be a deserter.
- 192 Punishment for procuring and assisting desertion.
- 193 Punishment for obstructing members of regular forces in execution of duty.
- 194 Punishment for aiding malingering.
- 195 Unlawful purchase, etc. of military stores.
- 196 Illegal dealings in documents relating to pay, pensions, mobilisation, etc.
- 197 Unauthorised use of and dealing in decorations, etc.

*Provisions as to evidence*

- 198 General provisions as to evidence.
- 198A, .....  
198B
- 198C Provision as to age.
- 199 Proof of outcome of civil trial.
- 200 Evidence of proceedings of court-martial.
- 200A False statements in computer record certificates.

*Miscellaneous Provisions*

- 201 Restrictions on reduction in rank of warrant officers and non-commissioned officers.
- 202 Temporary reception in civil custody of persons under escort.
- 203 Avoidance of assignment of or charge on military pay, pensions, etc.
- 204 Power of certain officers to take affidavits and declarations.
- 204A Exclusion of enactments requiring fiat of Attorney General etc., in connection with proceedings.

**PART VI**

APPLICATION OF ACT AND SUPPLEMENTAL PROVISIONS

*Persons subject to military law*

- 205 Persons subject to military law: general provisions.
- 206 Persons subject to military law: Commonwealth forces.
- 207 Persons subject to military law: Colonial forces.
- 208 Persons subject to military law: attached members of naval and air forces.
- 208A Application of Act to passengers in H.M. ships and aircraft.
- 209 Application of Act to civilians.

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*Application of Act to particular corps and forces*

- 210 Provisions as to Royal Marines.
- 211 Application of Act to reserve and auxiliary forces.
- 212 Provisions as to Home Guard.
- 213 Modification of certain provisions in relation to women.

*Application to different countries*

- 214 Application to Scotland.
- 215 Application to Northern Ireland.
- 216 Application to Channel Islands and Isle of Man.
- 217 Application to certain overseas territories.
- 218 .....
- 219 .....

*Supplemental provisions*

- 220 Jurisdiction of courts.
- 221 .....
- 222 Provisions as to summary fines in Colonies.
- 223 Execution of orders, instruments, etc.
- 224 Provisions as to active service.
- 225 General provisions as to interpretation.
- 226 Short title, commencement and duration.

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SCHEDULES

FIRST SCHEDULE — Procedure for Attestation

- 1 The recruiting officer shall warn the person to be enlisted...
- 2 He shall then read, or cause to be read, to...
- 3 He shall then ask that person to make and sign...
- 4 Upon signing the declaration and taking the oath the said...
- 5 The recruiting officer shall by signature attest, in the manner...
- 6 When in accordance with such regulations the recruit is finally...

SECOND — ...  
SCHEDULE

THIRD SCHEDULE — Alternative offences of which accused may be convicted by court-martial

FOURTH SCHEDULE — Supplementary Provisions as to Payment for Requisitioned Vehicles

- 1 (1) Subject to the provisions of this Schedule, any payment...
- 2 (1) As soon as may be after the furnishing of...
- 3 (1) A person to whom a receipt or notice under...
- 4 (1) Subject to the provisions of the last foregoing paragraph...
- 5 The instructions of the Defence Council referred to in paragraph...
- 6 In the foregoing provisions of this Schedule the expression “damage”...
- 7 Nothing in the foregoing provisions of this Schedule shall apply...
- 8 A county court shall have jurisdiction to deal with any...

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FIFTH SCHEDULE — Civilians outside the United Kingdom subject to Part II when not on Active Service

- 1 Persons serving Her Majesty, or otherwise employed, in such capacities...
- 2 Persons who are employed by, or in the service of,...
- 3 Persons belonging to or employed by any other organisation so...
- 4 Persons who, for the purposes of their profession, business or...
- 5 Persons forming part of the family of members of any...
- 6 Persons forming part of the family of persons falling within...
- 7 Persons employed by members of any of Her Majesty's naval,...
- 8 Persons employed by persons falling within paragraphs 1 to 6...
- 9 Persons forming part of the family of persons falling within...

SCHEDULE 5A — Powers of Court on Trial of Civilian

*General*

- 1 The powers conferred by this Schedule shall be exercisable on...
- 2 (1) In this Schedule— “community supervision order” has the meaning...

*Deferment of award of sentence*

- 2A (1) Subject to the provisions of this paragraph, where a...

*Absolute and conditional discharge*

- 3 (1) The court by which a civilian is found guilty...

*Community supervision orders*

- 4 (1) Subject to sub-paragraph (4) below, where a civilian ....

*Absolute and conditional discharge and community supervision orders—supplementary*

- 5 (1) If upon finding a person guilty of an offence...

*Reception orders and committal into care—general*

- 6 .....

*Committal into care—England and Wales*

- 7 .....

*Committal into care—transfer to Scotland*

- 8 .....

*Committal into care—transfer to Northern Ireland*

- 9 .....

*Custodial orders*

- 10 (1) Where a civilian who has attained the minimum age...

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*Compensation orders*

- 11 (1) The court, on finding a civilian guilty of an...
- 12 (1) The operation of a compensation order made by a...

*Imposition of fines on and making of compensation orders against parents and guardians*

- 13 (1) Where— (a) a civilian under 17 years of age...

*Orders requiring parents or guardians to enter into recognisance*

- 14 (1) Subject to sub-paragraph (2) below, where a civilian under...

*Scale of punishments and orders*

- 15 (1) In their application to civilians, references in this Act...

*Indemnity for persons carrying out orders under Schedule*

- 16 No action shall lie in respect of anything done by...

*Regulations*

- 17 (1) The Secretary of State may by regulations make provision...

SIXTH SCHEDULE — Application of Military Law to attached Members of Naval and Air Forces

- 1 (1) As respects the punishment of a person subject to...
- 2 For the purposes of the provisions of this Act relating...
- 3, 4 . . . . .
- 5 In proceedings under this Act against a person subject to...
- 6 In the application of this Act to a person subject...
- 7 In relation to a person subject to military law as...
- 8 In the application of sections one hundred and forty-four and...
- 9 Sections one hundred and fifty to one hundred and fifty-two...
- 10 In this Schedule— (a) references to a person’s own service...

SEVENTH — Provisions as to Royal Marines  
SCHEDULE

Part I — ENLISTMENT, SERVICE AND DISCHARGE

- 1 The provisions of the six following paragraphs shall have effect...
- 2, 3 . . . . .
- 4 (1) The provisions of this and the two next following...
- 4A (1) This paragraph applies to a marine serving in the...
- 4B (1) If it appears to Her Majesty that national danger...
- 5 (1) The following provisions shall have effect as to the...
- 5A . . . . .
- 6 Subsections (1) and (2) of section three, . . . . .
- 7 Section eighteen shall have effect, in relation to men of...
- 8 . . . . .
- 9 . . . . .
- 10 In this Part of this Schedule references to a marine...
- 10A Subsection (2) of section 22 applies to the powers to...

Part II — MISCELLANEOUS ADAPTATIONS

- 11 . . . . .
- 12, 12A . . . . .

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- 13—15 . . . . .
- 16 In the provisions of this Act relating to confessions of...
- 17 . . . . .
- 18 In the provisions of this Act relating to forfeitures of...
- 19 Except to the extent that they are applied by paragraph...
- 20, 21 . . . . .
- 22 In this Act the expression “the regular forces” does not...  
Part III — TRANSFERS
- 23 A warrant officer non-commissioned officer or marine of the Royal...
- 24 Where a person is in pursuance of the last foregoing...

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