



Army Act 1955 (repealed)

1955 CHAPTER 18 3 and 4 Eliz 2

PART II

DISCIPLINE AND TRIAL AND PUNISHMENT OF MILITARY OFFENCES

Flying etc. offences

Textual Amendments applied to the whole legislation

- F1** Act: the provisions of the 1955 Acts providing for findings of courts-martial to be subject to confirmation and to revision at the direction of the confirming officer cease to have effect (1.4.1997 subject to art. 3 of the commencing S.I.) by virtue of 1996 c. 46, s. 15; S.I. 1997/304, arts. 2, 3, **Sch. 2**

[^{F1}48A **Loss or hazarding of ship.**

Any person subject to military law who, either wilfully or by negligence, causes or allows to be lost, stranded or hazarded any of Her Majesty's ships shall, on conviction by court-martial, be liable—

- (a) if he acts wilfully or with wilful neglect, to imprisonment or any less punishment provided by this Act,
- (b) in any other case, to imprisonment for a term not exceeding two years or any less punishment so provided.]

Textual Amendments

- F1** S. 48A inserted by **Armed Forces Act 1971 (c. 33), ss. 19(1), 78(4)**

49 **Dangerous flying, etc.**

Any person subject to military law who is guilty of any act or neglect in flying, or in the use of any aircraft, or in relation to any aircraft or aircraft material, which causes

Status: Point in time view as at 03/03/2003.

Changes to legislation: There are currently no known outstanding effects for the Army Act 1955 (repealed), Cross Heading: Flying etc. offences. (See end of Document for details)

or is likely to cause loss of life or bodily injury to any person shall, on conviction by court-martial, be liable to imprisonment or any less punishment provided by this Act:

Provided that if the offender has not acted wilfully or with wilful neglect he shall not be liable to be imprisoned for more than two years.

[^{F2}50 Inaccurate certification.

Any person subject to military law who makes or signs, without having ensured its accuracy,—

- (a) a certificate relating to any matter affecting the seagoing or fighting efficiency of any of Her Majesty's ships, or
 - (b) any certificate relating to any of Her Majesty's aircraft or aircraft material,
- shall, on conviction by court-martial, be liable to imprisonment for a term not exceeding two years or any less punishment provided by this Act.]

Textual Amendments

F2 S. 50 substituted by [Armed Forces Act 1971 \(c. 33\)](#), **ss. 20(1), 78(4)**

51 Low flying.

Any person subject to military law who, being the pilot of one of Her Majesty's aircraft, flies it at a height less than such height as may be provided by any regulations issued under the authority of [^{F3}the Defence Council], ^{F4}, except—

- (a) while taking off or alighting, or
- (b) in such other circumstances as may be so provided,

shall, on conviction by court-martial, be liable to imprisonment for a term not exceeding two years or any less punishment provided by this Act:

[^{F5}Provided that where a pilot flies an aircraft in contravention of this section on the orders of some other person who is in command of the aircraft, that other person shall be treated for the purposes of this section as having been the pilot of, and flying, the aircraft at the material time.]

Textual Amendments

F3 Words substituted by [S.I. 1964/488](#), **Sch. 1 Pt. I**

F4 Words repealed by [S.I. 1964/488](#), **Sch. 1 Pt. I**

F5 Proviso inserted by [Armed Forces Act 1971 \(c. 33\)](#), **ss. 21(1), 78(4)**

52 Annoyance by flying.

Any person subject to military law who, being the pilot of one of Her Majesty's aircraft, flies it so as to cause, or to be likely to cause, unnecessary annoyance to any person shall, on conviction by court-martial, be liable to [^{F6}dismissal from Her Majesty's service] or any less punishment provided by this Act:

[^{F7}Provided that where a pilot flies an aircraft in contravention of this section on the orders of some other person who is in command of the aircraft, that other person

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shall be treated for the purposes of this section as having been the pilot of, and flying, the aircraft at the material time.]

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Textual Amendments

- F6** Words substituted by [Armed Forces Act 1971 \(c. 33\), ss. 21\(2\)](#), 78(4)
- F7** Proviso inserted by [Armed Forces Act 1971 \(c. 33\), ss. 21\(1\)](#), 78(4)

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