



# Army Act 1955 (repealed)

1955 CHAPTER 18 3 and 4 Eliz 2

## PART IV

### BILLETING AND REQUISITIONING OF VEHICLES

#### *Billeting*

#### **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**

#### **154 Billeting requisitions.**

At any time when this section is in operation any general or field officer commanding any part of the regular forces in the United Kingdom may issue a billeting requisition requiring the chief officer of police for any area in the United Kingdom specified in the requisition to provide billets at such places in that area, for such numbers of members of Her Majesty's forces and, if the requisition so provides, for such number of vehicles in use for the purpose of Her Majesty's forces, being vehicles of any class specified in the requisition, as may be so specified.

#### **Modifications etc. (not altering text)**

- C1** S. 154 extended by Armed Forces Act 1971 (c. 33), s. 67(1)(2)

#### **155 Premises in which billets may be provided.**

- (1) Billets, other than for vehicles, may be provided in pursuance of a billeting requisition—

*Status: Point in time view as at 03/03/2003.*

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- (a) in any inn or hotel (whether licensed or not) or in any other premises occupied for the purposes of a business consisting of or including the provision of sleeping accommodation for reward;
- (b) in any building not falling within the last foregoing paragraph, being a building to which the public habitually have access, whether on payment or otherwise, or which is wholly or partly provided or maintained out of rates;
- (c) in any dwelling, outhouse, warehouse, barn or stables; but not in any other premises.

(2) Billets for vehicles may be provided as aforesaid in any building or on any land.

### **156 Provision of billets.**

- (1) Where a billeting requisition has been produced to the chief officer of police for the area specified in the requisition he shall, on the demand of the officer commanding any portion of the regular forces, or on the demand of an officer or soldier authorised in writing by such an officer commanding, billet on the occupiers of premises falling within the last foregoing section, being premises at such place in that area as may be specified by the officer or soldier by whom the demand is made, such number of persons or vehicles as may be required by the officer or soldier by whom the demand is made, not exceeding the number specified in the requisition.
- (2) Without prejudice to the provisions of the next following section, a chief officer of police shall exercise his functions under this section in such manner as in his opinion will cause least hardship to persons on whom billeting may take place.
- (3) A chief officer of police may to such extent and subject to such restrictions as he thinks proper authorise any constable, or constables of any class, to exercise his said functions on his behalf, and the foregoing provisions of this section shall apply accordingly.

### **157 Billeting schemes.**

- (1) A local authority may make a scheme for the provision of billets in their area in pursuance of billeting requisitions; and where such a scheme is in force the chief officer of police shall so far as the scheme extends exercise his functions under the last foregoing section in accordance with the scheme.
- (2) Any scheme under this section may be revoked by the local authority by whom it was made, or may be varied by that authority by a subsequent scheme under this section.
- (3) Where a local authority make a scheme under this section they shall furnish the chief officer of police for the area to which the scheme relates with a copy of the scheme.
- (4) A scheme under this section shall not come into force until approved by the Minister of Housing and Local Government; and that Minister may require the local authority to revoke any scheme in force under this section and in substitution therefor to submit for his approval a further scheme under this section.

#### **Modifications etc. (not altering text)**

**C2** Functions of Minister of Housing and Local Government now exercisable by Secretary of State: [S.I. 1970/1681, art. 2\(1\)](#)

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## **158 Accommodation to be provided and payment therefor.**

- (1) Where persons are billeted in pursuance of a billeting requisition the occupier of the premises on which they are billeted shall furnish such accommodation (including meals) as the officer or soldier demanding the billets may require, not exceeding such accommodation as may be prescribed by regulations of <sup>[F1]</sup>the Defence Council] made with the consent of the Treasury.
- (2) Where vehicles are billeted as aforesaid, the occupier of the premises shall furnish standing room for the vehicles.
- (3) Where persons or vehicles have been billeted in pursuance of a billeting requisition they may continue to be billeted, so long as section one hundred and fifty-four of this Act continues in operation, for such period as may be required, and the allotment of billets among the persons or vehicles in question may be varied from time to time.
- (4) The occupier on whose premises any person or vehicle is billeted as aforesaid shall be entitled to receive for the billeting such payment as may be prescribed by regulations of <sup>[F1]</sup>the Defence Council] made with the consent of the Treasury:

Provided that no payment shall be required in respect of vehicles billeted otherwise than in a building unless the land on which they are billeted—

- (a) has its surface made up for the passage or parking of vehicles, and
  - (b) is not land where vehicles are normally allowed to stand free of charge irrespective of the person by whom they are owned or driven.
- (5) Subject to the provisions of the next following subsection payment for billeting—
    - (a) shall be made before the persons billeted finally leave, or the vehicles are finally removed from, the premises where they are billeted; and
    - (b) where the billeting continues for more than seven days, shall be made at least once in every seven days.
  - (6) If for any reason payment for billeting cannot be made, or fully made, as required by paragraph (a) of the last foregoing subsection, there shall be made up with the occupier an account, in such form as may be prescribed by <sup>[F1]</sup>the Defence Council], of the amount due to him; and—
    - (a) on presentation of the account the local authority for the area in which the premises are situated shall pay to the occupier the amount stated in the account to be due,
    - (b) any sums paid by a local authority under the last foregoing paragraph shall be recoverable by them from <sup>[F1]</sup>the Defence Council].
  - (7) In relation to premises of which there is no occupier the foregoing provisions of this section shall apply as if the person entitled to possession thereof were the occupier thereof.

### **Textual Amendments**

**F1** Words substituted by [S.I. 1964/488](#), [Sch. 1 Pt. I](#)

## **159 Appeals against billeting.**

- (1) Any person who—

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- (a) is aggrieved by having an undue number of persons billeted upon him in pursuance of a billetingrequisition, or
  - (b) claims that by reason of special circumstances he should be exempted from having persons so billetedon him, either generally or on a particular occasion,
- may apply to a person or persons appointed on behalf of the local authority in accordance witharrangements made by the Minister of Housing and Local Government.
- (2) On any application on the grounds mentioned in paragraph (a) of the last foregoing subsection the personor persons to whom the application is made may direct the billeting elsewhere of such number of the personsbilleted as may seem just or may dismiss the application.
  - (3) On any application on the grounds mentioned in paragraph (b) of subsection (1) of this section theperson or persons to whom the application is made may grant such exemption as may seem just or may dismiss the application.
  - (4) An application under this section shall not affect billeting pending the determination of theapplication.

**Modifications etc. (not altering text)**

- C3** Functions of Minister of Housing and Local Government now exercisable by Secretary ofState: [S.I. 1970/1681](#), [art. 2\(1\)](#)

**160 Compensation for damage.**

- (1) Where any damage is caused to any premises by the billeting of persons or vehicles in pursuance of abilleting requisition, the occupier of the premises, or if there is no occupier the person entitled topossession thereof, may recover from [<sup>F2</sup>the Defence Council] compensation of an amount equal to the depreciation caused by the damage in the value of the premises.
- (2) Where any person other than the recipient of compensation under the last foregoing subsection has anyinterest in the premises, being an interest the value of which is depreciated by the damage, he shall beentitled to recover from the recipient such part of the compensation as may be just.
- (3) A county court shall have jurisdiction to deal with any claim arising under subsection (1) or (2) ofthis section irrespective of the amount of the claim.

**Textual Amendments**

- F2** Words substituted by [S.I. 1964/488](#), [Sch. 1 Pt. I](#)

**161 Refusal to receive persons billeted, etc.**

Any person who—

- (a) refuses to receive any person billeted upon him in pursuance of a billeting requisition or withoutreasonable excuse fails to furnish him with the accommodation properly required for him, or

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- (b) gives or agrees to give to any person billeted upon him in pursuance of a billeting requisition any money or reward in lieu of receiving any person or vehicle or of furnishing accommodation properly required for him, or
- (c) obstructs the billeting in his building or on his land of any vehicle,
- shall be liable on summary conviction to a fine not exceeding [<sup>F3</sup>level 3 on the standard scale], or to imprisonment for a term not exceeding three months, or to both such a fine and such imprisonment.

#### Textual Amendments

- F3** Words substituted by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [ss.38, 46](#) and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), [ss. 289F, 289G](#) and (N.I.) [S.I.1984/703 \(N.I.3\)](#), [arts. 5, 6](#)

### 162 Application to civilians employed with the forces.

In relation to persons employed with any body of the regular forces and not entitled under the foregoing provisions of this Part of this Act to be billeted, being persons of such descriptions as may be prescribed by regulations of [<sup>F4</sup>the Defence Council], those provisions shall apply as they apply in relation to members of Her Majesty's forces.

#### Textual Amendments

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

### 163 Local authority.

For the purposes of this Part of this Act the local authority shall be the council of a [<sup>F5</sup>district or borough or the Common Council of the City of London].

#### Textual Amendments

- F5** Words repealed by [Statute Law \(Repeals\) Act 1976 \(c. 16\)](#), [Sch. 1 Pt. XII](#)

### 164 Suspension of laws against billeting.

While section one hundred and fifty-four of this Act is in operation, so much of any law as prohibits, restricts or regulates quartering or billeting on any inhabitant of the United Kingdom shall not apply to such billeting in pursuance of a billeting requisition.

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