



# Armed Forces Act 1971

## 1971 CHAPTER 33

### PART II

#### REVISION OF SERVICE OFFENCES AND PUNISHMENTS

##### *Navigation and flying offences etc.*

#### **19 Loss or hazarding of ship**

- (1) The following provision shall be inserted in the Army Act 1955 after the cross-heading following section 48 of that Act:—

**“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.”
- (2) The provision set out in subsection (1) above shall also be inserted in the Air Force Act 1955 after the cross-heading following section 48 of that Act, but modified for that purpose by the substitution of " air-force law " for " military law ".
- (3) Section 19 of the Naval Discipline Act 1957 (loss or hazarding of ship or aircraft) shall be amended so as to correspond with the said provision, that is to say, by omitting paragraph (b) (loss or hazarding of aircraft) together with the word " or " immediately preceding that paragraph.

## **20 Inaccurate certification of ships and aircraft**

- (1) The following provision (being one corresponding to section 25 of the Naval Discipline Act 1957) shall be substituted for section 50 of the Army Act 1955 (which relates to the inaccurate certification of aircraft and aircraft material only):—

### **“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.”

- (2) The provision set out in subsection (1) above shall also be substituted for section 50 of the Air Force Act 1955, but modified for that purpose by the substitution of " air-force law " for " military law ".

## **21 Low flying, and annoyance by flying**

- (1) The following proviso shall be inserted at the end of sections 51 and 52 of the Army Act 1955 (which penalise pilots subject to military law for low flying and flying so as to cause annoyance), and also at the end of sections 51 and 52 of the Air Force Act 1955 and sections 21 and 22 of the Naval Discipline Act 1957 (which make corresponding provision for pilots subject to air-force law or, as the case may be, to the said Act of 1957):—

“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.”

- (2) The said sections 52 (under which the maximum penalty for flying so as to cause annoyance is imprisonment for a term not exceeding two years) shall each be further amended so as to impose the same maximum penalty as that imposed by the said section 22, that is to say, by substituting for the words " imprisonment for a term not exceeding two years " the words " dismissal from Her Majesty's service ".