

*Status: Point in time view as at 01/07/1992.*

*Changes to legislation: Reserve Forces Act 1980, Cross Heading: General provisions as to evidence is up to date with all changes known to be in force on or before 12 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 6

#### EVIDENCE UNDER PART IV OR PART V

##### *General provisions as to evidence*

- 1 (1) The following provisions of this paragraph shall have effect with respect to evidence in proceedings under Part IV or Part V of this Act, whether before a court-martial, a civil court or otherwise.
- (2) A letter, return or other document stating that any person—
  - (a) was or was not serving at any specified time or during any specified period in any part of Her Majesty's forces or was discharged from any part of those forces at or before any specified time, or
  - (b) held or did not hold at any specified time any specified rank or appointment in any of those forces, or had at or before any specified time been attached, posted or transferred to any part of those forces, or at any specified time or during any specified period was or was not serving or held or did not hold any rank or appointment in any particular country or place, or
  - (c) was or was not at any specified time authorised to use or wear any decoration, badge, wound stripe or emblem,shall, if purporting to be issued by or on behalf of the Defence Council or by a person authorised by them, be evidence of the matters stated in the document.
- (3) A record made in any service book or other document prescribed by Queen's Regulations for the purposes of this sub-paragraph, being a record made in pursuance of any Act or of Queen's Regulations, or otherwise in pursuance of military or air-force duty, as the case may be, and purporting to be signed by the commanding officer or by any person whose duty it was to make the record, shall be evidence of the facts stated therein.
- (4) A copy of a record (including the signature thereto) in any such book or other document as aforesaid, purporting to be certified to be a true copy by a person stated in the certificate to have the custody of the book or other document, shall be evidence of the record.
- (5) A document purporting to be issued by order of the Defence Council and to contain instructions or regulations given or made by the Defence Council shall be evidence of the giving of the instructions or making of the regulations and of their contents.
- (6) A certificate purporting to be issued by or on behalf of the Defence Council or by a person authorised by them, and stating—
  - (a) that a decoration of a description specified in or annexed to the certificate is a military, naval or air force decoration, or

*Status: Point in time view as at 01/07/1992.*

*Changes to legislation: Reserve Forces Act 1980, Cross Heading: General provisions as to evidence is up to date with all changes known to be in force on or before 12 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

(b) that a badge, wound stripe or emblem of a description specified in or annexed to the certificate is one supplied or authorised by the Defence Council, shall be evidence of the matters stated in the certificate.

- (7) A certificate purporting to be signed by a person’s commanding officer or any officer authorised by him to give the certificate, and stating the contents of, or of any part of, standing orders or other routine orders of a continuing nature made for—
  - (a) any formation or unit or body of troops, or
  - (b) any formation or unit or body of the air force, or
  - (c) any command or other area, garrison or place, or
  - (d) any ship, train or aircraft,

shall in proceedings against the said person be evidence of the matters stated in the certificate. <sup>F1</sup>

(7A) .....

- (8) Where, in relation to one of the Army Reserve, the Air Force Reserve, the Territorial Army or the Royal Auxiliary Air Force, any document would be evidence in any proceedings under Part IV or Part V of this Act by virtue of this paragraph, or paragraph 5 of Schedule 3 to this Act, that document shall—
  - (a) in like manner,
  - (b) subject to the same conditions, and
  - (c) for the like purpose,

be evidence in the like proceedings in relation to any other of the Army Reserve, Air Force Reserve, Territorial Army or the Royal Auxiliary Air Force.

**Textual Amendments**

**F1** Sch. 6 para. 1(7A) (which was inserted by Reserve Forces Act 1982 (c. 14, SIF 7:2), s. 2(4)(5)) repealed (1.1.1992) by Armed Forces Act 1991 (c. 62, SIF 7:1) s. 26(1)(2), Sch. 2, para. 11(4), Sch.3; S.I. 1991/2719, art.2, Sch.

**Status:**

Point in time view as at 01/07/1992.

**Changes to legislation:**

Reserve Forces Act 1980, Cross Heading: General provisions as to evidence is up to date with all changes known to be in force on or before 12 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.