



# Army Act 1955 (repealed)

1955 CHAPTER 18 3 and 4 Eliz 2

## PART II

### DISCIPLINE AND TRIAL AND PUNISHMENT OF MILITARY OFFENCES

#### *Miscellaneous 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**

#### [<sup>F1</sup>60 **Unauthorised disclosure of information.**

- (1) Any person subject to military law who without lawful authority discloses or purports to disclose, whether orally, in writing, by signal or by any other means whatsoever, information relating to any matter upon which information would or might be useful to an enemy 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) It shall be a defence for a person charged with an offence under this section that he did not know and had no reasonable cause to believe that the information disclosed related to a matter upon which information would or might be directly or indirectly useful to an enemy.]

#### Textual Amendments

- F1** S. 60 substituted by **Armed Forces Act 1971 (c. 33), ss. 24(1), 78(4)**

*Status: Point in time view as at 19/08/2004.*

*Changes to legislation: There are currently no known outstanding effects for the Army Act 1955 (repealed), Cross Heading: Miscellaneous offences.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

## 61 Making of false statements on enlistment.

Any person who, when before a recruiting officer for the purpose of being attested in pursuance of Part I of this Act, has knowingly made a false answer to any question contained in the attestation paper and put to him by or by the direction of the recruiting officer shall if he has since become and remains subject to military law be liable, on conviction by court-martial, to the like imprisonment as on summary conviction of an offence against section nineteen of this Act or to any less punishment provided by this Act.

### Modifications etc. (not altering text)

**C1** S. 61 extended (E.W.) (S.) by [Rehabilitation of Offenders Act 1974 \(c. 53\), s. 2\(3\)\(a\)](#)

## [<sup>F2</sup>62 Making of false documents.

- (1) A person subject to military law who—
  - (a) makes an official document which is to his knowledge false in a material particular, or
  - (b) makes in any official document an entry which is to his knowledge false in a material particular, or
  - (c) tampers with the whole or any part of an official document (whether by altering it, destroying it, suppressing it, removing it or otherwise), or
  - (d) with intent to deceive, fails to make an entry in an official document,
 is liable on conviction by court-martial to imprisonment for a term not exceeding two years or any less punishment provided by this Act.
- (2) For the purposes of this section—
  - (a) a document is official if it is or is likely to be made use of, in connection with the performance of his functions as such, by a person who holds office under, or is in the service of, the Crown; and
  - (b) a person who has signed or otherwise adopted as his own a document made by another shall be treated, as well as that other, as the maker of the document.
- (3) In this section “document” means anything in which information of any description is recorded.]

### Textual Amendments

**F2** S. 62 substituted (31.1.1997) by [1995 c. 38, s. 15\(1\), Sch. 1 para. 1](#) (with ss. 1(3), 6(4)(5), 14); [S.I. 1996/3217, art. 2](#)

## 63 Offences against civilian population.

Any person subject to military law who, in any country or territory outside the United Kingdom, commits any offence against the person or property of any member of the civilian population 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.

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### [<sup>F3</sup>63A Offences against morale.

Any person subject to military law who spreads (whether orally, in writing, by signal, or otherwise) reports relating to operations of Her Majesty's forces, of any forces co-operating therewith, or of any part of any of those forces, being reports likely to create despondency or unnecessary alarm, 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

**F3** S. 63A inserted by [Armed Forces Act 1971 \(c. 33\)](#), ss. **28(1)**, 78(4)

### [<sup>F4</sup>64 Scandalous conduct by officers.

Every officer subject to military law who behaves in a scandalous manner unbecoming the character of an officer shall, on conviction by court-martial, be liable to dismissal from Her Majesty's service with or without disgrace.]

#### Textual Amendments

**F4** S. 64 substituted by [Armed Forces Act 1971 \(c. 33\)](#), ss. **29(1)**, 78(4)

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

**C2** S. 64 extended (E.W.) (S.) by [Rehabilitation of offenders Act 1974 \(c. 53\)](#), s. 2(3)(a)

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

If—

- (a) any officer subject to military law <sup>F5</sup> ill-treats any officer subject thereto of inferior rank or less seniority or any warrant officer, non-commissioned officer or soldier subject to military law, or
- (b) any warrant officer or non-commissioned officer subject to military law <sup>F5</sup> ill-treats any person subject to military law, being a warrant officer or non-commissioned officer of inferior rank or less seniority or a soldier,

he 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

**F5** Words repealed by [Armed Forces Act 1986 \(c. 21, SIF 7:1\)](#), ss. 4(1), 16(2), **Sch. 2**

### 66 Disgraceful conduct.

Any person subject to military law who is guilty of disgraceful conduct of a cruel, indecent or unnatural kind 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.

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

**C3** S. 66 extended (E.W.) (S.) by [Rehabilitation of Offenders Act 1974 \(c. 53\), s. 2\(3\)\(a\)](#)

**67** ..... <sup>F6</sup>

**Textual Amendments**

**F6** Ss. 67, 75(3) and 81(3) repealed by [Armed Forces Act 1971 \(c. 33\), s. 78\(4\), Sch. 4 Pt.I](#)

**68 Attempts to commit military offences.**

Any person subject to military law who attempts to commit an offence against any of the foregoing provisions of this Part of this Act [<sup>F7</sup> or against section 69 below] shall, on conviction by court-martial, be liable to the like punishment as for that offence:

<sup>F8</sup> . . . .

**Textual Amendments**

**F7** Words inserted by [Armed Forces Act 1971 \(c. 33\), ss. 32\(1\), 78\(4\)](#)

**F8** Words in s. 68 proviso repealed (11.5.2001) by [2001 c. 19, s. 38, Sch. 7 Pt. 4](#)

**[<sup>F9</sup> 68A Aiding and abetting etc., and inciting.**

(1) Any person subject to military law who aids, abets, counsels or procures the commission by another person of an offence against any of the foregoing provisions of this Part of this Act, or against section 69 below, or who incites another person to commit any such offence, shall himself be guilty of the offence in question, and shall be liable to be charged, tried and punished accordingly.

(2) A person may be guilty by virtue of subsection (1) above of an offence against section 62 of this Act whether or not he knows the nature of the document in question.]

**Textual Amendments**

**F9** S. 68A inserted by [Armed Forces Act 1971 \(c. 33\), ss. 32\(2\), 78\(4\)](#)

**69 Conduct to prejudice of military discipline.**

Any person subject to military law who is guilty [<sup>F10</sup>, whether by any act or omission or otherwise, of conduct] to the prejudice of good order and military discipline 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.

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**Textual Amendments**

**F10** Words substituted by [Armed Forces Act 1986 \(c. 21, SIF 7:1\)](#), **s. 4(2)**

**Status:**

Point in time view as at 19/08/2004.

**Changes to legislation:**

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