



Army Act 1955 (repealed)

1955 CHAPTER 18 3 and 4 Eliz 2

PART VI

APPLICATION OF ACT AND SUPPLEMENTAL PROVISIONS

Application to different countries

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**

214 Application to Scotland.

- (1) The provisions of this section shall have effect for the purpose of the application of this Act to Scotland.
- (2) For any reference to a county court there shall be substituted a reference to the sheriff; and the powers and duties conferred or imposed on a justice of the peace may be exercised or performed either by such justice or by the sheriff.
- (3) References in subsection (2) of section one hundred and twenty-five and in subsection (1) of section one hundred and twenty-eight to the ^{M1}Capital Punishment Amendment Act 1868, or to any provision of that Act shall respectively be construed as references to that Act as it applies to Scotland or to the corresponding provision of that Act applying to Scotland, and references in the said subsection (2) and subsection (1) to the sheriff shall be construed as references to the lord provost or provost, or magistrate or magistrates, charged with seeing the sentence of death carried into effect.
- (4) In subsection (2) of section one hundred and twenty-eight for the reference to [^{F1}the Coroners Acts 1887 to 1926][^{F1}the Coroners Act 1988] there shall be substituted a reference to section twenty-five of the ^{M2}Prisons (Scotland) Act 1952, and that section

Status: Point in time view as at 01/01/1992.

Changes to legislation: There are currently no known outstanding effects for the Army Act 1955 (repealed), Cross Heading: Application to different countries.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

as applied in relation to any such premises as are mentioned in the said subsection (2) shall have effect subject to the necessary modifications.

[^{F2}(4A) In section 150, at the end of subsection (5), there shall be added the words “and to any sum awarded as in-lying expenses in a decree of affiliation and aliment”].

(5) For any reference to the Minister of Housing and Local Government there shall be substituted a reference to the Secretary of State; and the local authority for the purposes of Part IV of this Act shall be a [^{F3}regional, islands or district] council.

(6) Section one hundred and eighty-seven shall have effect as if subsection (4) were omitted.

(7) Section one hundred and ninety-five shall have effect as if for the obligation imposed by subsection (4) on the officer therein mentioned to bring a person before a court of summary jurisdiction there were substituted an obligation to report to the procurator fiscal.

(8) ^{F4} the expression “chattel” means corporeal moveable.

[^{F5}(9) Where by virtue of this Act a document is admissible in evidence or is evidence of any matter stated in it in proceedings before a civil court in England, it shall be sufficient evidence of the matter so stated in such proceedings in Scotland.]

Textual Amendments

- F1** Words “the Coroners Act 1988” substituted (E.W.) for words “the Coroners Acts 1887 to 1926” by [Coroners Act 1988 \(c. 13, SIF 33\), s. 36\(1\), Sch. 3 para. 7](#)
- F2** [S. 214\(4A\)](#) inserted by [Armed Forces Act 1966 \(c. 45\), s. 37\(3\), Sch. 4](#)
- F3** Words substituted by [Local Government \(Scotland\) Act 1973 \(c. 65\), Sch. 27 Pt. II para. 118](#)
- F4** Words repealed by [Army and Air Force Act 1961 \(c. 52\), s. 29\(2\)\(b\)](#)
- F5** [S. 214\(9\)](#) inserted by [Armed Forces Act 1971 \(c. 33\), s. 76](#)

Marginal Citations

- M1** [1868 c. 24.](#)
- M2** [1952 c. 61.](#)

215 Application to Northern Ireland.

(1) The provisions of this section shall have effect for the purpose of the application of this Act to Northern Ireland.

(2) ^{F6} all fines imposed in proceedings taken before a court of summary jurisdiction in Northern Ireland shall be dealt with in the manner provided by section twenty of the ^{M3}Administration of Justice Act (Northern Ireland) 1954.

(3)

^{F7}(4) References in subsection (2) of section one hundred and twenty-five and in subsection (1) of section one hundred and twenty-eight to the ^{M4}Capital Punishment Amendment Act 1868, or to any provision of that Act ^{F8} shall ^{F8} be construed as references to that Act or provision as in force from time to time in Northern Ireland ^{F8}, and, accordingly, references in the said subsections to the sheriff shall be construed as references to the under-sheriff.

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

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

- (5) References in subsection (2) of section one hundred and twenty-eight to [^{F9}the Coroners Acts 1887 to 1926][^{F9}the Coroners Act 1988], shall be construed as references to section thirty-nine of the ^{M5}Prison Act(Northern Ireland) 1953; and that section as applied in relation to any such premises as are mentioned inthe said subsection (2) shall have effect subject to the necessary modifications.
- [^{F10}(5A) Where a financial penalty enforcement order has been registered under section 133A above by a court ofsummary jurisdiction in Northern Ireland in respect of any person, a justice of the peace may issue a summons to that person requiring him to appear before the court which registered that penalty or a warrantfor the arrest of that person.
- (5B) Where a person appears before a court of summary jurisdiction in Northern Ireland in pursuance of a summons or warrant issued under subsection (5A) above, the court may exercise the like powers as areconferred on it by [^{F11}Part IX of the ^{M6}Magistrates' Courts (Northern Ireland)Order 1981] (satisfaction and enforcement of orders).
- (5C) A financial penalty enforcement order shall be registered in Northern Ireland under section 133A abovein accordance with Magistrates' Courts Rules.]
- (6) For the reference in subsection (5) of section one hundred and fifty to [^{F12}section four of the ^{M7}Affiliation Proceedings Act 1957], there shall be substituted a reference to section one of the ^{M8}IllegitimateChildren (Affiliation Orders) Act (Northern Ireland) 1924.
- [^{F13}(6A) The reference in section 151A(1) to any judgment or order enforceable by a court in the United Kingdomshall include a reference to a judgment enforceable by the Enforcement of Judgments Office.]
- (7) In Part IV of this Act references to a local authority shall be construed as references to a [^{F14}Health and Social Services Board established under the ^{M9}Health and Personal Social Services (Northern Ireland) Order 1972] references to the Minister of Housing and Local Government shall be construed as references to the [^{F15}Department of Health and Social Services] for Northern Ireland, and references to a chief officer of police shall be construed as referenceto a [^{F15}chief superintendent of the Royal Ulster Constabulary or any other officer having arank equivalent to chief superintendent].
- (8) For the reference in section one hundred and seventy-three to section thirty-five of the ^{M10}Road Traffic Act 1930, there shall be substituted a reference to section [^{F15}75 of the ^{M11}Road Traffic Act (Northern Ireland) 1970 or anycorresponding enactment for the time being in force in Northern Ireland].
- (9) For the reference in subsection (4) of section one hundred and eighty-seven to [^{F16}the ^{M12}Magistrates' Courts Act 1980], there shall be substituted a reference to the Summary Jurisdiction Acts (Northern Ireland) and therules made thereunder.
- (10) For the reference in subsection (3) of section two hundred and three to a bankrupt's trustee inbankruptcy there shall be substituted a reference to an assignee in bankruptcy.
- (11)^{F17}

Textual Amendments

- F6** Words repealed by [Northern Ireland Act 1962 \(c. 30\)](#), **Sch. 4 Pt. IV**
- F7** [S. 215\(3\)](#) repealed by [S.I. 1973/2163](#), **Sch. 6**
- F8** Words repealed by [Northern Ireland \(Emergency Provisions\) Act 1973 \(c. 53\)](#), **Sch. 5**

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

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

- F9** Words “the Coroners Act 1988” substituted (E.W.) for words “the Coroners Acts 1887to 1926” by Coroners Act 1988 (c. 13, SIF 33), s. 36(1), **Sch. 3 para. 8**
- F10** S. 215(5A)—(5C) inserted by Armed Forces Act 1976 (c. 52), s. 16, **Sch. 8 para. 4(1)**
- F11** Words substituted by S.I. 1981/1675 (N.I.26), **Sch. 6 para. 8**
- F12** Words substituted by virtue of Affiliation Proceedings Act 1957 (c. 55), s. **12(3)**
- F13** S. 215(6A) inserted by S.I. 1979/298, **art. 2**
- F14** Words substituted by S.R. & O. (N.I.) 1973/256, Sch. 2
- F15** Words substituted by Armed Forces Act 1976 (c. 52), **Sch. 9 para. 8**
- F16** Words substituted by Magistrates' Courts Act 1980 (c. 43), **Sch. 7 para. 12**
- F17** S. 215(11) repealed by Statute Law (Repeals) Act 1977 (c. 18), **Sch. 1 Pt. I**

Marginal Citations

- M3** 1954 c. 9(N.I.)
- M4** 1868 c. 24.
- M5** 1953 c. 18 (N.I.)
- M6** S.I. 1981/1675 (N.I. 26)
- M7** 1957 c. 55.
- M8** 1924 c. 27 (N.I.)
- M9** S.I. 1972/1265 (N.I.14)
- M10** 1930 c.43.
- M11** 1970 c. 2 (N.I.)
- M12** 1980 c. 43.

216 Application to Channel Islands and Isle of Man.

- [^{F18}(1) This Act extends to the Channel Islands and the Isle of Man subject to the following provisions of this section and to such modifications as Her Majesty may by Order in Council specify; and, where any such modification refers to any law for the time being in force in any of the Channel Islands or the Isle of Man, the modification may be expressed to have effect for all purposes of this Act to the Channel Islands or the Isle of Man, as the case may be.)]
- (2) Subject as hereinafter provided, references except in Part IV of this Act to the United Kingdom shall be construed as including references to the Channel Islands and the Isle of Man.
- (3) References in sections one hundred and nineteen, one hundred and twenty-six, one hundred and twenty-seven and one hundred and forty-three to the United Kingdom shall not include references to the Channel Islands or the Isle of Man, and references in the said section one hundred and twenty-seven to a colony shall include references to the Channel Islands and the Isle of Man.
- (4) In relation to an order made by a court in the Isle of Man subsection (5) of section one hundred and fifty of this Act shall have effect with the substitution, for the reference to the ^{M13}Maintenance Orders (Facilities for Enforcement) Act 1920, of a reference to an Act of Tynwald entitled the Maintenance Orders (Facilities for Enforcement) Act 1921, and for the reference to [^{F19}section four of the ^{M14}Affiliation Proceedings Act 1957], of a reference to section three of an Act of Tynwald entitled the ^{M15}Bastardy Act Amendment Act 1924.

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

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

Textual Amendments

- F18** S. 216(1) substituted (1.1.1992) by [Armed Forces Act 1991 \(c. 62, SIF 7:1\)](#), [s. 24\(1\)](#); S.I. 1991/2719, [art. 2](#) (with [art. 3\(1\)](#))
- F19** Words substituted by virtue of [Affiliation Proceedings Act 1957 \(c. 55\)](#), [s. 12\(3\)](#)

Modifications etc. (not altering text)

- C1** S. 216 modified (1.1.1992) by [Armed Forces Act 1991 \(c. 62, SIF 7:1\)](#), [s. 24\(4\)](#); S.I 1991/2719, [art. 2](#) (with [art. 3\(1\)](#))

Marginal Citations

- M13** [1920 c.33.](#)
- M14** [1957 c. 55.](#)
- M15** [1924 c. 65.](#)

217 Application to certain overseas territories.

- (1) This Act shall apply in relation to any territory under Her Majesty’s protection, and any territory for the time being administered by Her Majesty’s Government in the United Kingdom under the trusteeship system of the United Nations, as it applies in relation to a colony; and accordingly references in this Act to Her Majesty’s dominions shall be construed as including references to any such territory.
- (2) References in this Act to the law of a colony shall include, in relation to two or more colonies under a central legislature, references to law made by that legislature.

218 **F20**

Textual Amendments

- F20** S. 218 repealed by [Federation of Malaya Independence Act 1957 \(c. 60\)](#), [Sch. 2](#)

219 **F21**

Textual Amendments

- F21** S. 219 repealed by [Armed Forces Act 1966 \(c. 45\)](#), [s. 37\(3\)](#), [Sch. 5](#)

Status:

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

Changes to legislation:

There are currently no known outstanding effects for the Army Act 1955 (repealed), Cross
Heading: Application to different countries.