

Status: Point in time view as at 01/10/2001.

Changes to legislation: There are currently no known outstanding effects for the Army Act 1955 (repealed), SIXTH SCHEDULE. (See end of Document for details)

SCHEDULES

SIXTH SCHEDULE

Section 208.

APPLICATION OF MILITARY LAW TO ATTACHED MEMBERS OF NAVAL AND AIR FORCES

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**

- 1 (1) As respects the punishment of a person subject to military law by virtue of section two hundred and eight of this Act, the following adaptations shall have effect.
- (2) **F1**
- (3) In relation to members of any of Her Majesty's naval forces . . . **F2**, references to reduction to the ranks or any less reduction in rank shall be construed as references to disrating to an extent not greater than that which would have been authorised on conviction by a court-martial under [**F2**the **M1**Naval Discipline Act 1957], . . . **F2**

Textual Amendments

F1 Sch. 6 para. 1(2) repealed by Armed Forces Act 1971 (c. 33), s. 78(4), **Sch. 4 Pt. I**

F2 Words repealed by Armed Forces Act 1971 (c. 33), s. 78(4), **Sch. 4 Pt. I**

Marginal Citations

M1 1957 c. 53.

- 2 For the purposes of the provisions of this Act relating to the constitution of courts-martial an officer subject to military law as aforesaid shall be treated as an officer belonging to Her Majesty's military forces of corresponding rank.
- 3, 4 **F3**

Textual Amendments

F3 Sch. 6 paras. 3 and 4 repealed by S.I. 1964/488, **Sch. 1 Pt. I**

- 5 In proceedings under this Act against a person subject to military law as aforesaid any document which would have been evidence in the like proceedings under his own service law shall be evidence in like manner, subject to the like conditions and for the like purposes as in the first-mentioned proceedings.
- 6 In the application of this Act to a person subject to military law as aforesaid references to the regular forces shall include references to his own service, and

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references to any rank shall include references to the corresponding rank of his own service.

7 In relation to a person subject to military law as aforesaid subsection (3) of section one hundred and thirty-two of this Act shall have effect with the ^{F4}substitution for references to military law of references to service law.]

Textual Amendments
F4 Words substituted by [Armed Forces Act 1986 \(c. 21, SIF 7:1\)](#), s. 16(1), **Sch. 1 para. 6(1)**

8 In the application of sections one hundred and forty-four and one hundred and forty-nine of this Act to a person subject to military law as aforesaid references to a Royal Warrant shall include references to an Order in Council (if he is a member of any of Her Majesty’s naval forces) or to an order under section two of the Air Force (Constitution) Act 1917 (if he is a member of any of Her Majesty’s air forces).

9 Sections one hundred and fifty to one hundred and fifty-two ^{F5} . . . of this Act shall not apply to a person subject to military law as aforesaid.

Textual Amendments
F5 Words in [Sch. 6 para. 9](#) repealed (1.10.2001) by [2001 c. 19, ss. 34, 38, Sch. 6 Pt. 6 para. 43, Sch. 7 Pt. 7; S.I. 2001/3234, art. 2](#)

10 In this Schedule—
(a) references to a person’s own service shall be construed as references to the naval or air force to which he belongs,
(b) references to a person’s own service law shall be construed as references to ^{F6}the ^{M3}Naval Discipline Act 1957] or to air-force law, and
(c) ^{F7}
according as he is a member of Her Majesty’s naval forces or Her Majesty’s air forces.

Textual Amendments
F6 Words substituted by virtue of [Naval Discipline Act 1957 \(c. 53\)](#), s. 137(2)
F7 [Para. 10\(c\)](#) repealed by [S.I. 1964/488, Sch. 1 Pt. I](#)

Marginal Citations
M3 [1957 c. 53](#)

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