



# Army Act 1955 (repealed)

1955 CHAPTER 18 3 and 4 Eliz 2

## PART II

### DISCIPLINE AND TRIAL AND PUNISHMENT OF MILITARY OFFENCES

*Trial of persons ceasing to be subject to military law and time limits for trials*

#### **132 Limitation of time for trial of offences under military law.**

[<sup>F1</sup>(1) Where by virtue of any enactment proceedings on indictment for any civil offence must be brought within a limited period, no proceedings shall be taken against any person for an offence against section 70 of this Act corresponding to that civil offence unless the trial or proceedings on a summary dealing with the charge is or are begun before the end of that period.]

(2) Where a person who has committed an offence of desertion, other than desertion on active service, has since the offence served as a member of the regular forces continuously in an exemplary manner for not less than three years, he shall not be tried for that offence.

[<sup>F2</sup>(3) Except in relation to the offences specified in subsection (3A) below, no proceedings shall be taken against a person by virtue of subsection (1) of section 131 of this Act unless—

- (a) in a case where the charge is one which may be dealt with summarily, the proceedings on the summary dealing with the charge are begun within three months or the trial by court-martial is begun within six months after he ceases to be subject to military law;
- (b) in a case where the charge is one which cannot be dealt with summarily, the trial is begun within six months after he ceases to be subject to military law.

(3A) Subsection (3) above does not apply to an offence against section 31 or 32 of this Act or desertion or to an offence against section 70 where the civil offence is alleged to have been committed outside the United Kingdom and the Attorney General consents to the proceedings.]

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*Status: Point in time view as at 01/10/2001. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Army Act 1955 (repealed), Section 132. (See end of Document for details)*

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- (4) A person shall not be arrested or kept in custody by virtue of subsection (1) of the last foregoing section for an offence at any time after he has ceased to be triable for the offence.

**Textual Amendments**

- F1** S. 132(1) substituted by [Armed Forces Act 1986 \(c. 21, SIF 7:1\)](#), **s. 7(1)(6)**  
**F2** S. 132(3)(3A) substituted for s. 132(3) by [Armed Forces Act 1981 \(c. 55\)](#), **s. 6(3)(c)**

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

- C1** S. 132 excluded (1.4.1997) by [S.I. 1997/172](#), **art. 86**

**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**

**Status:**

Point in time view as at 01/10/2001. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Army Act 1955 (repealed), Section 132.