



Air Force Act 1955 (repealed)

1955 CHAPTER 19 3 and 4 Eliz 2

PART II

DISCIPLINE AND TRIAL AND PUNISHMENT OF AIR-FORCE OFFENCES

Desertion, absence without leave, etc.

[^{F1}37 **Desertion.**

- (1) Any person subject to air-force law who deserts shall, on conviction by court-martial, be liable to imprisonment or any less punishment provided by this Act.
- (2) For the purposes of this Act a person deserts who—
 - (a) leaves or fails to attend at his unit, ship or place of duty with the intention of remaining permanently absent from duty without lawful authority, or, having left or failed to attend at his unit, ship or place of duty, thereafter forms the like intention, or
 - (b) absents himself without leave with intent to avoid serving at any place overseas, or to avoid service or any particular service when before the enemy, and references in this Act to desertion shall be construed accordingly.]

Textual Amendments

F1 S. 37 substituted by [Armed Forces Act 1971 \(c. 33\)](#), ss. **11(1)(2)**, 78(4)

[^{F2}38 **Absence without leave.**

Any person subject to air-force law who—

- (a) absents himself without leave, or
- (b) improperly leaves his ship,

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.]

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Air Force Act 1955 (repealed), Cross Heading: Desertion, absence without leave, etc.. (See end of Document for details)

Textual Amendments

F2 S. 38 substituted by [Armed Forces Act 1971 \(c. 33\)](#), **ss. 12(1)(2)**, 78(4)

[^{F3}**39** **Failure to report or apprehend deserters or absentees.**

Any person subject to air-force law who, knowing that any other person so subject has committed an offence, or is attempting to commit an offence, under section 37(1) or section 38 of this Act—

- (a) fails to report the fact without delay, or
- (b) fails to take any steps within his power to cause that other person to be apprehended,

shall be liable, on conviction by court-martial, to imprisonment for a term not exceeding two years or any less punishment provided by this Act.]

Textual Amendments

F3 S. 39 substituted by [Armed Forces Act 1971 \(c. 33\)](#), **ss. 13(1)(2)**, 78(4)

[^{F4}**40**,
41.

Textual Amendments

F4 Ss. 40, 41, 53, 58, 67, 75(3), 81(3), 210(3), Sch. 3 paras. 5, 8, Sch. 6 para. 1(2) repealed by [Armed Forces Act 1971 \(c. 33\)](#), s. 78(4), **Sch. 4 Pt. I**

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

There are currently no known outstanding effects for the Air Force Act 1955 (repealed), Cross Heading: Desertion, absence without leave, etc..