



Air Force Act 1955 (repealed)

1955 CHAPTER 19 3 and 4 Eliz 2

PART VI

APPLICATION OF ACT AND SUPPLEMENTAL PROVISIONS

Application of Act to particular forces

210 Application of Act to reserve and auxiliary forces.

- (1) Subject to the provisions of this section, references in Parts II to V of this Act to the regular air force shall include references to the following persons, that is to say—
- (a) officers of any reserve of officers when undergoing training or when serving with a body of the regular air force or a body of the air force reserve called out on permanent service, and
 - (b) officers who have retired (within the meaning of any order under section two of the ^{M1}Air Force (Constitution) Act 1917) but are for the time being subject to air-force law, and
 - (c) officers holding commissions in the Royal Auxiliary Air Force while the part of the Royal Auxiliary Air Force to which they belong is embodied or while they are called out for home defence service or are undergoing training, and
 - (d) warrant officers, non-commissioned officers and men of the air force reserve and the Royal Auxiliary Air Force while subject to air-force law;

and references to officers, warrant officers, non-commissioned officers or airmen, or to members or a body, of the regular air force or to illegal absence from that force shall be construed accordingly.

- (2) Subsections (1)

and (4) of section seventeen of this Act shall apply to warrant officers, non-commissioned officers and men of the air force reserve and the Royal Auxiliary Air Force as they apply to warrant officers, non-commissioned officers and airmen of the regular air force.

- (3)

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^{F1}(4) ^{F2}, sections one hundred and fifty to one hundred and fifty-three of this Act and, except in so far as they may be applied by regulations made under [^{F3}the ^{M2}Reserve Forces Act 1980], the provisions of Part II of this Act relating to the award of stoppages and the provisions of sections one hundred and forty-four to one hundred and forty-nine of this Act, shall not apply—

- (a) to officers of any reserve of officers who are not in actual service,
- (b) to warrant officers, non-commissioned officers or men of the air force reserve except when called out on permanent service or
- (c) to officers, warrant officers, non-commissioned officers or men of the Royal Auxiliary Air Force except when the part of the Royal Auxiliary Air Force to which they belong is embodied or they are called out for home defence service.

(5) In the last foregoing subsection the expression “actual service”, in relation to an officer of any reserve of officers, means that he is serving (otherwise than when undergoing training) with a body of the regular air force, or of the air force reserve when called out on permanent service, or with [^{F4}members of the Royal Auxiliary Air Force who are serving in pursuance of [^{F5}section 10(1) of the ^{M3}Reserve Forces Act 1980] or called out for home defence service.]

(6) The provisions of sections one hundred and eighty-two and one hundred and eighty-three of this Act shall not apply at any time to officers holding commissions in the Royal Auxiliary Air Force, Royal Auxiliary Air Force General List, or Royal Auxiliary Air Force Reserve of Officers or to warrant officers, non-commissioned officers or men of the Royal Auxiliary Air Force; and the provisions of the said section one hundred and eighty-three shall not apply to a warrant officer, non-commissioned officer or man of the air force reserve except when he is called out on permanent service.

(7) In the case of a non-commissioned officer or man of the Royal Auxiliary Air Force found guilty of an offence by a court-martial or his commanding officer, Part II of this Act shall apply as if in the scale set out in [^{F6}section 71(1) there were inserted immediately before paragraph (h)] the following paragraph—

[^{F6a}(gg)] dismissal from the Royal Auxiliary Air Force”, and as if the punishments specified in subsection (3) of section seventy-eight of this Act included dismissal from the Royal Auxiliary Air Force:

Provided that if the commanding officer awards such dismissal he shall not award any other punishment.

(8) An officer of any reserve of officers, an officer holding a commission in the Royal Auxiliary Air Force or the Royal Auxiliary Air Force General List, or a warrant officer, non-commissioned officer or man of the air force reserve or the Royal Auxiliary Air Force may be attached temporarily to any of Her Majesty’s naval or military forces whether or not he is subject to air-force law, but if not subject thereto shall not be so attached except with his consent.

Textual Amendments

- F1** 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**
- F2** Words repealed by [Armed Forces Act 1971 \(c. 33\)](#), s. 78(4), **Sch. 4 Pt. I**
- F3** Words substituted by [Reserve Forces Act 1980 \(c. 9\)](#), s. 157(1), **Sch. 9 para. 5(a)**

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- F4** Words substituted by [Reserve Forces Act 1966 \(c. 30\), Sch. 1 para. 36](#)
- F5** Words substituted by [Reserve Forces Act 1980 \(c. 9\), s. 157\(1\), Sch. 9 para. 5\(b\)](#)
- F6** Words substituted by [Armed Forces Act 1971 \(c. 33\), s. 78\(4\), Sch. 1 para. 1\(10\)](#)

Marginal Citations

- M1** [1917 c. 51.](#)
- M2** [1980 c. 9.](#)
- M3** [1980 c. 9.](#)

211 Modification of certain provisions in relation to women.

In relation to women members of the regular air force this Act shall have effect subject to the following modifications:—

- (a) if and in so far as regulations made by Her Majesty so provide, for references to any rank there shall be substituted references to such equivalent rank as may be specified by such regulations;
- ^{F7}(b)
- (c) references in sections one hundred and fifty and one hundred and fifty-one to a wife shall be construed as references to a husband.

Textual Amendments

- F7** [S. 211\(b\)](#) repealed by [Armed Forces Act 1971 \(c. 33\), s. 78\(4\), Sch. 4 Pt. I](#)

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