



Air Force Act 1955

1955 CHAPTER 19 3 4 Eliz2

PART II

DISCIPLINE AND TRIAL AND PUNISHMENT OF AIR-FORCE OFFENCES

Trial of persons ceasing to be subject to air-force law and time limits for trials

132 Limitation of time for trial of offences under this Act

- (1) No person shall be tried by court-martial for any offence, other than one against section thirty-one or thirty-two of this Act or desertion, unless the trial is begun within three years after the commission of the offence, there being disregarded any time during which he was a prisoner of war and any time during which he was illegally absent:

Provided that—

- (a) in the case of an offence against section seventy of this Act where proceedings for the corresponding civil offence must, by virtue of any enactment, be brought within a limited time, that limit of time shall apply to the trial of the offence under the said section seventy in substitution for the foregoing provisions of this subsection",
- (b) subject to any such limit of time as is mentioned in the last foregoing paragraph, a person may be tried by court-martial for a civil offence committed outside the United Kingdom notwithstanding that it was committed more than three years before the beginning of the trial, if the Attorney General consents to the trial.
- (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 air force continuously in an exemplary manner for not less than three years, he shall not be tried for that offence.
- (3) A person shall not be triable by virtue of subsection (1) of the last foregoing section unless his trial is begun within three months after he ceases to be subject to air-force

Status: This is the original version (as it was originally enacted).

law, or the trial is for a civil offence committed outside the United Kingdom and the Attorney General consents to the trial:

Provided that this subsection shall not apply to an offence against section thirty-one or thirty-two of this Act or desertion.

- (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.