



Air Force Constitution Act 1917

1917 CHAPTER 51

PART I

ESTABLISHMENT OF AIR FORCE

3 Transfer and attaching to Air Force of members of Naval and Military Forces

- (1) Any officer, warrant officer, petty officer, non-commissioned officer, or man of any of His Majesty naval or military forces may, with his consent and subject to the approval of the Admiralty or Army Council (as the case may be) be transferred by the Air Council to the Air Force, or attached by the Air Council to the Air Force for the period of the present war or. for a period not exceeding four years :

Provided that—

- (a) any officer, warrant officer, petty officer, non-commissioned officer, or man who at such date as may be fixed by Order in Council belongs or is attached to the Royal Naval Air Service, the Royal Flying Corps or any unit of the naval or military forces engaged in defence against aircraft which is designated by the Admiralty or Army Council for the purpose, may be so transferred or attached without his consent, but if any person so transferred or attached, within three months from the time when he receives notice of such transfer or attachment or such longer period as in any particular case the Air Council may allow, gives notice to his commanding officer that he does not desire to be so transferred or attached, the transfer or attachment shall be annulled without prejudice to the validity of anything which may have been done in the meanwhile ; and
- (b) no person transferred to the Air Force under the provisions of this section shall be liable to serve with the Air Force for any longer period than that for which he would have been liable to serve had he continued in the force from which he was transferred.
- (2) Regulations made by the Air Council may provide that in the case of a person so transferred, the time during which he held a commission or served in the force from which he is transferred shall, for such purposes as may be prescribed, be aggregated with the time during which he holds a commission or serves in the Air Force, and that

Status: This is the original version (as it was originally enacted).

his entry into or enlistment in the force from which he is transferred shall, for such purposes as may be prescribed, be treated as enlistment into the Air Force.

- (3) Where any person is transferred to the Air Force under this section, then for the purposes of pay, pensions, gratuity, and retired or half-pay, and of any decoration or reward dependent on length of service, any previous service with His Majesty's naval or military forces which would have counted as service towards pay, pension, gratuity, retired or half-pay, or such decoration or reward if he had not been so transferred, shall be deemed to be service with the Air Force towards pay, pension, gratuity, retired or half-pay, or such decoration or reward.
- (4) Where any person is attached to the Air Force under this section, the fact that he is so attached shall not affect any right to any pay, pension, gratuity, retired or half-pay, or such decoration or reward as aforesaid, already earned by him in that branch of His Majesty's naval or military forces to which he belonged at the date on which he was so attached, and the period during which he is so attached shall, for the purpose of any provisions relating to pay, pensions, gratuity, retired or half-pay, or such decoration or reward, be deemed to be service with that branch of His Majesty's naval or military forces to which he belonged at the date on which he was so attached.