



Visiting Forces Act 1952

1952 CHAPTER 67 15 and 16 Geo 6 and 1 Eliz 2

PART I

VISITING FORCES

12 Interpretation of Part I.

(1) In this Part of this Act, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say:—

“court” includes a service court;

“Her Majesty’s ships or aircraft” does not include ships or aircraft belonging to Her Majesty otherwise than in right of Her Majesty’s Government in the United Kingdom;

“the home forces” means any of the forces of Her Majesty raised in the United Kingdom and for the time being serving in the United Kingdom;

“member”, in relation to a visiting force, means a member of the forces of the sending country, being one of the members thereof for the time being appointed to serve with that visiting force;

“the sending country”, in relation to a visiting force, means the country to whose forces the visiting force belongs;

“service authorities” means naval, military or air force authorities;

“service court” means a court established under service law and includes any authority of a country who under the law thereof is empowered to review the proceedings of such a court or to try or investigate charges brought against persons subject to the service law of that country; and references to trial by, or to sentences passed by, service courts of a country shall be construed respectively as including references to trial by, and to punishment imposed by, such an authority in the exercise of such powers;

“service law”, in relation to a country, means the law governing all or any of the forces of that country; and

“visiting force” means, for the purposes of any provision in this Part of this Act, any body, contingent or detachment of the forces of a country to which that provision applies, being a body, contingent or detachment for the time

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being present in the United Kingdom [^{F1}(including United Kingdom territorial waters), or in any place to which subsection (1A) below applies,] on the invitation of Her Majesty's Government in the United Kingdom.

[^{F2}(1A) This subsection applies to any place on, under or above an installation in a designated area within the meaning of section 1(7) of the ^{M1} Continental Shelf Act 1964 or any waters within 500 metres of such an installation.]

- (2) References in this Part of this Act to a person's having at any time a relevant association with a visiting force are references to his being at that time a person of one or other of the following descriptions, that is to say—
- (a) a member of that visiting force or a member of a civilian component of that force;
 - (b) a person, not being a citizen of the United Kingdom and Colonies or ordinarily resident in the United Kingdom, but being a dependant of a member of that visiting force or of a civilian component of that force.
- (3) In determining for the purposes of any provision in this Part of this Act whether a person is, or was at any time, ordinarily resident in the United Kingdom, no account shall be taken of any period during which he has been or intends to be present in the United Kingdom while being a member of a visiting force or of a civilian component of such a force, or while being a dependant of a member of a visiting force or of such a civilian component.
- (4) In this section the expression “dependant”, in relation to a person, means any of the following, that is to say—
- (a) the wife or husband of that person; and
 - (b) any other person wholly or mainly maintained by him or in his custody, charge or care.

Textual Amendments

F1 Words inserted by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), s. 170(1), **Sch. 15 para. 14(1)**

F2 [S. 12\(1A\)](#) inserted by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), s. 170(1), **Sch. 15 para. 14(2)**

Modifications etc. (not altering text)

C1 [S. 12](#) applied by [S.I. 1975/1208](#)

Marginal Citations

M1 [1964 c.29 \(86\)](#).

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