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TO

Make provision to provide posthumous pardons to armed forces personnel convicted of, or cautioned for, certain abolished offences.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Amendment of the Policing and Crime Act 2017

(1) Section 164 (posthumous pardons for convictions etc of certain abolished offences: England and Wales) of the Policing and Crime Act 2017 is amended as follows.

(2) In subsection (4), after paragraph (4)(d) insert—

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“(e) an offence under any provision in any of the following enactments, or under any provision contained in the Articles of War applied by any of the following enactments, which is such an offence by virtue of any of the enactments mentioned in subsection (3)—

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(i) 1 Will. & Mar. c. 5 (1688) (An Act for punishing Officers and Soldiers who shall mutiny or desert their Majesty’s Service to continue till November 1689, and no longer);

(ii) 1 Will. & Mar. Session 2 c. 4 (1688) (An Act for punishing Officers or Soldiers who shall mutiny or desert their Majesty’s Service, and for punishing false Musters);

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(iii) 2 Will. & Mar. Session 2 c. 6 (1690) (An Act for punishing Officers and Soldiers who shall mutiny or desert their Majesties Service, and for punishing false Musters);

(iv) 4 Will. & Mar. c. 13 (1692) (An Act for punishing Officers and Soldiers, who shall mutiny or desert their Majesties Service, and for punishing False Musters, and for the Payment of Quarters);

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(v) 13 & 14 Will. 3 c. 2 (1701) (An Act for punishing of Officers and Soldiers, that shall mutiny or desert in England or Ireland);

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- (vi) 1 Ann. St. 2 c. 20 (1702) (An Act for punishing Officers or Soldiers who shall mutiny or desert her Majesty's Service in England or Ireland, and for punishing false Musters, and for better Payment of Quarters in England); 5
- (vii) 2 & 3 Ann. C. 17 (1703) (An Act for punishing Mutiny, Desertion, and false Musters, and for better paying of the Army and Quarters, and for satisfying divers Arrears, and for a further Continuance of the Powers of the five Commissioners for the examining and determining the Accounts of the Army); 10
- (viii) 3 & 4 Ann. c. 5 (1704) (An Act for punishing Mutiny and Desertion, and false Musters; and for the better Payment of the Army, and their Quarters);
- (ix) 7 Ann. c. 4 (1708) (An Act for punishing Mutiny and Desertion, and false Musters and for the better Payment of the Army and Quarters); 15
- (x) 10 Ann. c. 13 (1711) (An Act for punishing Mutiny and Desertion, and false Musters, and for the better Payment of the Army and Quarters); 20
- (xi) 12 Ann. c. 13 (1712) (An Act for the better Regulating the Forces to be continued in her Majesty's Service; and for the Payment of the said Forces, and of their Quarters);
- (xii) 13 Ann. c. 4 (1713) (An Act for the better regulating the Forces to be continued in her Majesty's Service, and for the Payment of the said Forces, and of their Quarters); 25
- (xiii) 1 Geo. 1 St. 2 c. 3 (1714) (An Act for the better regulating the Forces to be continued in his Majesty's Service, and for the Payment of the said Forces, and of their Quarters); 30
- (xiv) 1 Geo. 1 St. 2 c. 9 (1714) (An Act for the better preventing Mutiny and Desertion, by enforcing and making more effectual an Act of this present Parliament, intituled, An Act for the better regulating the Forces to be continued in his Majesty's Service, and for the Payment of the said Forces and their Quarters); 35
- (xv) 1 Geo. 1 St. 2 c. 34 (1715) (An Act for preventing Mutiny and Desertion; and for the better Payment of the Army and their Quarters);
- (xvi) the Acts for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters 1716 to 1878; 40
- (xvii) the Acts for the Regulation of His or Her Majesty's Marine Forces while on Shore 1755 to 1878."
- (3) In subsection (5), after subsection (5)(a) insert – 45
 “(aa) section 41 of the Army Discipline and Regulation Act 1879;”.
- (4) In subsection (8), after subsection (8)(c) insert –
 “(d) the Army Discipline and Regulation Act 1879, or
 (e) any enactment or provision mentioned in subsection 4(e).”

2 Extent, commencement and short title

- (1) This Act has the same extent as section 164 of the Policing and Crime Act 2017.
- (2) This Act comes into force on the day on which it is passed.
- (3) This Act may be cited as the Armed Forces (Posthumous Pardons) Act 2019.

Armed Forces (Posthumous Pardons) Bill [HL]

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To make provision to provide posthumous pardons to armed forces personnel convicted of, or cautioned for, certain abolished offences.

Lord Cashman

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