



Armed Forces Act 1971

1971 CHAPTER 33

PART II

REVISION OF SERVICE OFFENCES AND PUNISHMENTS

Punishments

39 Imprisonment and detention: consecutive terms

(1) The following provision shall be inserted in the Army Act 1955 after section 118:—

“118A Consecutive terms of imprisonment and detention.

- (1) Where any person who is serving a sentence of imprisonment, whether passed under this Act or otherwise, is awarded a military sentence of imprisonment, or where a person who is awarded a military sentence of imprisonment is further sentenced to imprisonment under section 57(2) of this Act, the court-martial by whom the subsequent or further sentence is awarded may order that that sentence shall begin to run from the expiry of the first-mentioned sentence.
- (2) Where any person who is serving a military sentence of detention, or a sentence of detention passed on him under the Air Force Act 1955 or the Naval Discipline Act 1957, is found guilty under this Act of another offence for which he is awarded a military sentence of detention, or where a person who is awarded a military sentence of detention is further sentenced to detention under section 57(2) of this Act, the court-martial or officer by whom the subsequent or further sentence is awarded may order that that sentence shall begin to run from the expiry of the first-mentioned sentence.
- (3) Where a person is convicted by a. general court-martial or a field general court-martial of two or more offences against section 70 of this Act consisting in the commission of a civil offence for which a civil court in England could award imprisonment, the court-martial may by its sentence award, for any of

Status: This is the original version (as it was originally enacted).

the said offences, a term of imprisonment which is to run from the expiry of a term awarded by that sentence for any other of those offences.”

- (2) The provision set out in subsection (1) above shall also be inserted in the Air Force Act 1955 after section 118, but modified for that purpose—
- (a) by the substitution throughout subsections (1) and (2) of that provision of " an air-force sentence of imprisonment " for " a military sentence of imprisonment " and " an air-force sentence of detention " for " a military sentence of detention ". and
 - (b) by the substitution in the said subsection (2) of " the Army Act 1955 " for " the Air Force Act 1955 ".
- (3) The following subsection shall be added at the end of section 86 of the Naval Discipline Act 1957 (subsections (1) and (2) of which make provision corresponding to subsections (1) and (2) of the provision set out in subsection (1) above):—
- “(3) Where a person is convicted by a court-martial of two or more offences under section 42 of this Act consisting in the commission of a civil offence for which a civil court in England could award imprisonment, the court-martial may by its sentence award, for any of the said offences, a term of imprisonment which is to run from the expiry of a term awarded by that sentence for any other of those offences.”