

SCHEDULES

SCHEDULE 8

FINANCIAL PENALTY ENFORCEMENT ORDERS

- 3 (1) The said section shall also be inserted after section 128E of the Naval Discipline Act 1957 and shall have effect as section 128F of that Act but with the modifications specified in sub-paragraphs (2) and (3) below.
- (2) The following subsections shall be substituted for subsections (2) and (3):—
- “(2) This section applies to a person who is, or would be but for section 119 above, neither subject to service law nor a civilian to whom Parts I and II of this Act are applied by section 118 above, Part II of the Army Act 1955 is applied by section 209 of that Act or Part II of the Air Force Act 1955 is applied by section 209 of that Act.
- (3) In this section "qualifying offence" means—
- (a) an offence under section 14A above committed outside the United Kingdom and consisting of or including acts or omissions that would constitute a comparable foreign offence or a local road traffic offence ;
 - (b) an offence under section 42 above ;
 - (c) an offence under any provision of this Act other than section 42 above consisting of or including acts or omissions which would also constitute an offence under section 42 above;
- and for the purposes of this definition—
- "comparable foreign offence" means an offence under the civil law of any place outside the United Kingdom which is comparable to an offence under the law of England and Wales ; and
- "local road traffic offence" means an offence under the civil law of any place outside the United Kingdom relating to road traffic”.
- (3) The following definitions shall be substituted for the definitions of "financial penalty", "service enforcement procedures" and "stoppages" in subsection (10), namely—
- “"financial penalty" means—
- (a) a fine, including a fine imposed by virtue of paragraph 13 of Schedule 4A below ;
 - (b) stoppages ;
 - (c) a compensation order imposed by virtue of paragraph 11 or 13 of Schedule 4A below ; or
 - (d) a fine together with stoppages or a compensation order;
- "service enforcement procedures" means any procedure available by virtue of any of the following enactments, namely—
- (a) section 128A and section 128B above ; and

Status: This is the original version (as it was originally enacted).

(b) sections 144, 146 and 209(4) and (4A) of the Army Act 1955 and the Air Force Act 1955 ;

" stoppages " has the meaning assigned to it by section 43(1)(l) above except that it does not include sums awarded by virtue of section 128C above."