

*These notes refer to the Armed Forces Act 2001
(c.19) which received Royal Assent on 11 May 2001*

ARMED FORCES ACT 2001

EXPLANATORY NOTES

THE ACT - COMMENTARY ON SECTIONS

Part 2 – Powers of Entry, Search and Seizure

Section 16: Part 2: Supplementary provisions

55. Subsections (1)-(6) of section 16 define various phrases and words used in the preceding sections. Subsection (7) is designed to avoid any doubt about the effect of sections 2 to 15. Some of those sections give and define powers in relation to certain types of accommodation. They are not intended to affect the rights of Service police or of commanding officers to go into other places under Service control. Section 16 provides expressly that the earlier sections of Part 2 of the Act do not restrict the powers of Service police and commanding officers to enter and search any Service premises which are not Service living accommodation or to search any Service vehicle when it is not in the charge of a person. It also provides that those sections do not limit any powers of the commanding officer to enter and search Service living accommodation, or to stop and search persons or vehicles, for reasons unconnected with the investigation of offences, for example, for a health and safety inspection.