

*These notes refer to the Armed Forces Act 2006 (c.52)  
which received Royal Assent on 8 November 2006*

# **ARMED FORCES ACT 2006**

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## **EXPLANATORY NOTES**

### **COMMENTARY**

#### *First Group of Parts – Discipline*

#### **Part 12 – Service and Effect of Certain Sentences**

##### **Commencement of sentence**

##### *Section 290: Commencement of term of service detention awarded by CO*

565. This section postpones the point at which an award of service detention made by a CO takes effect (even if the CO does not suspend the award under section 189(3)). Unless the offender elects to start the sentence immediately, it does not take effect until the time allowed for bringing an appeal (the “appeal period”) expires or, if an appeal is brought, the appeal is disposed of (unless the SAC disposes of it by quashing the award or substituting another punishment).
566. Even if the offender does elect to start the sentence immediately, he can withdraw the election during the appeal period. In that case the sentence ceases to have effect, and resumes only when the appeal period expires or any appeal is disposed of. Similarly, if the sentence has already come into effect and an appeal is brought, the sentence ceases to have effect and resumes only when the appeal is disposed of.