

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

ARMED FORCES ACT 2006

EXPLANATORY NOTES

COMMENTARY

First Group of Parts – Discipline

Part 2 – Jurisdiction and Time Limits

Chapter 1 – Jurisdiction

Commanding officers

Section 53: Offences that may be dealt with at a summary hearing

139. This section details those offences that may be heard summarily. It makes it clear that where a criminal conduct offence may be heard summarily an offence of attempting to commit the substantive offence may also be dealt with at a summary hearing.
140. With regard to criminal conduct offences, this section makes it clear that only those offences that are listed in Schedule 1 may be dealt with at a summary hearing. The Secretary of State is given the power to amend Schedule 1 by order made by statutory instrument (subject to the “affirmative resolution” procedure which requires the order to be laid in draft before both Houses of Parliament and be approved by resolution of each House).