

*Status: Point in time view as at 28/03/2009.*

*Changes to legislation: Armed Forces Act 2006, Part 1 is up to date with all changes known to be in force on or before 03 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 7

#### SUSPENDED PRISON SENTENCE: FURTHER CONVICTION OR BREACH OF REQUIREMENT

##### PART 1

##### INTRODUCTORY

###### *Suspended sentence order with community requirements*

- 1 Part 2 of Schedule 12 to the 2003 Act (breach of community requirement, or further conviction) has effect in its application to a suspended sentence order with community requirements made by a relevant service court—
- (a) as if paragraphs 3, 4(4), 5(2), 6, 8(4A), (6) and (7) and 12(4) of that Schedule were omitted; and
  - (b) with the modifications in paragraphs 4 to 9 of this Schedule.

###### **Commencement Information**

- II** Sch. 7 para. 1 in force at 28.3.2009 for specified purposes by [S.I. 2009/812](#), [art. 3\(a\)\(b\)](#) (with transitional provisions in [S.I. 2009/1059](#))

###### *Suspended sentence order without community requirements*

- 2 (1) In its application to a suspended sentence order without community requirements, Part 2 of Schedule 12 to the 2003 Act has effect—
- (a) as if the provisions of that Schedule mentioned in sub-paragraph (2) below were omitted; and
  - (b) with the modifications in paragraphs 6 to 9 of this Schedule.
- (2) The provisions referred to in sub-paragraph (1)(a) above are—
- (a) paragraphs 3 to 7 and 10;
  - (b) in paragraph 8—
    - (i) paragraph (a) of each of sub-paragraphs (1) and (4);
    - (ii) sub-paragraphs (i) and (ii) of sub-paragraph (2)(c);
    - (iii) sub-paragraphs (4A), (6) and (7);
  - (c) paragraph 12(4).

###### **Commencement Information**

- I2** Sch. 7 para. 2 in force at 28.3.2009 for specified purposes by [S.I. 2009/812](#), [art. 3\(a\)\(b\)](#) (with transitional provisions in [S.I. 2009/1059](#))

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### *Meaning of “court”*

- 3 A relevant service court is a “court” for the purposes of—
- (a) Part 2 of Schedule 12 to the 2003 Act as it applies in relation to a suspended sentence passed by a relevant service court;
  - (b) paragraph 22 of that Schedule (as modified by section 205(1) of this Act) as it applies to an order under Part 2 of that Schedule amending a suspended sentence order with community requirements made by a relevant service court.

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#### **Commencement Information**

**I3** [Sch. 7 para. 3](#) in force at 28.3.2009 for specified purposes by [S.I. 2009/812](#), [art. 3\(a\)\(b\)](#) (with transitional provisions in [S.I. 2009/1059](#))

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