



# Armed Forces Act 2006

## 2006 CHAPTER 52

First Group of Parts Discipline

### PART 6

SUMMARY HEARING AND APPEALS AND REVIEW

### CHAPTER 1

SUMMARY HEARING

*Punishments available to commanding officer*

#### **136 Fine: maximum amount**

- (1) The maximum amount of a fine that a commanding officer may award is—
  - (a) 28 days' pay unless paragraph (b) applies;
  - (b) if the person being punished is an officer or warrant officer and the commanding officer does not have extended powers for the purposes of this paragraph, 14 days' pay.
- (2) A commanding officer has extended powers for the purposes of paragraph (b) of subsection (1) if he has, before the summary hearing of the charge or charges—
  - (a) applied to higher authority for extended powers for the purposes of that paragraph; and
  - (b) been notified by higher authority that his application has been granted.
- (3) A commanding officer also has extended powers for the purposes of that paragraph if he is of or above the rank of rear admiral, major-general or air vice-marshal.
- (4) For the purposes of this section a day's pay is—
  - (a) subject to paragraph (b), the gross pay which is (or would apart from any forfeiture be) issuable to the offender in respect of the day when the punishment is awarded;

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*Status: This is the original version (as it was originally enacted).*

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- (b) if the offender is a special member of a reserve force, the gross pay which would have been issuable to him in respect of that day if he had been an ordinary member of that reserve force of the same rank or rate.
- (5) If the offender is a member of a reserve force who is not on duty on the day the punishment is awarded, for the purposes of subsection (4) he is to be taken to have been on duty then.
- (6) In subsection (4) “special member” and “ordinary member” have the same meanings as in the Reserve Forces Act [1996 \(c. 14\)](#).