
Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 2011, Paragraph 16. (See end of Document for details)

SCHEDULES

SCHEDULE 3

MINOR AMENDMENTS OF SERVICE LEGISLATION

Activation of suspended sentence of service detention

16 After section 194 of AFA 2006 insert—

“194A Extended powers of activation: time for obtaining

- (1) In section 194(4) “within the relevant time” means—
 - (a) where section 193(2)(a) applies, before the start of the summary hearing of the charge mentioned there (but this is subject to subsections (2) and (3));
 - (b) where section 193(2)(b) applies, before the start of the hearing as to whether an order under section 193 should be made.
- (2) Subsection (3) applies where the summary hearing of the charge mentioned in section 193(2)(a) is one where, after the start of the hearing—
 - (a) a charge is amended under section 123(2)(a);
 - (b) a charge is substituted for another charge under section 123(2)(b); or
 - (c) an additional charge is brought under section 123(2)(c).
- (3) Any application for or grant of extended powers which is made in the period between—
 - (a) the making of the amendment, substitution or addition, and
 - (b) the time when the summary hearing is proceeded with after the amendment, substitution or addition,is to be treated for the purposes of section 194(4) as made within the relevant time.”

Commencement Information

II Sch. 3 para. 16 in force at 2.4.2012 by S.I. 2012/669, art. 4(d)

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