



Armed Forces Act 2016

2016 CHAPTER 21

Suspended sentences of service detention

6 Period for which sentence of service detention may be suspended

- (1) In section 190 of AFA 2006 (suspension of sentence of service detention), for subsection (2) (length of period of suspension) substitute—

“(2) The operational period must be a period of not less than 3 months beginning with the date of the order made under this section.

(2A) The maximum length of the operational period is—

- (a) where subsection (2B) applies, 24 months; and
- (b) otherwise, 12 months.

(2B) This subsection applies where the order under this section is made by—

- (a) the Court Martial,
- (b) the Court Martial Appeal Court, or
- (c) the Supreme Court on an appeal brought from the Court Martial Appeal Court,

except where the order is made in circumstances in which Schedule 3A applies (sentencing powers in cases involving election under section 129 for trial by Court Martial) or on an appeal arising out of a case in which that Schedule applied.”

- (2) The amendment made by this section applies only in relation to an order relating to a sentence of service detention for an offence committed on or after the day on which it comes into force.
- (3) Where an offence is found to have been committed over a period of 2 or more days, or at some time during a period of 2 or more days, it must be taken for the purposes of subsection (2) to have been committed on the first of those days.

Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 2016, Cross Heading: Suspended sentences of service detention. (See end of Document for details)

Commencement Information

II S. 6 in force at 1.7.2019 by S.I. 2019/961, reg. 2(2)

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