

2005 No. 2861 (C.120)

DEFENCE

The Armed Forces Act 2001 (Commencement No.5) Order 2005

Made - - - -

12th October 2005

The Secretary of State makes the following Order in exercise of the powers conferred by section 39(2) of the Armed Forces Act 2001^(a):

1. This Order may be cited as the Armed Forces Act 2001 (Commencement No.5) Order 2005.
2. Sections 26, 27 and 28 of the Armed Forces Act 2001 shall come into force on 14th October 2005.

12th October 2005

Don Touhig
Parliamentary Under-Secretary of State Ministry of Defence

^(a) 2001 c.19.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force sections 26, 27 and 28 of the Armed Forces Act 2001. Section 26 provides for the making of regulations empowering courts to order the payment to a party to proceedings for an offence under the Army Act 1955 (c.18), the Air Force Act 1955 (c.19) or the Naval Discipline Act 1957 (c.53) (the services Acts) of costs incurred by that party as a result of the unnecessary or improper act or omission of another party. Section 27 empowers a court in any proceedings for an offence under any of the services Acts to disallow the wasted costs of a party's legal or other representative or to order that representative to meet the wasted costs incurred by another party. Section 28 contains provisions supplementary to sections 26 and 27.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
ss 1, 34 and Sch. 6 (partially), 35, 36, 37, 38 and Sch. 7 (partially), and 39	11th May 2001	Royal Assent
ss 34 and Sch. 6 (partially), and 38 and Sch. 7 (partially)	1st October 2001	2001/3234 (C. 104)
ss 17 and Sch. 1, 18, 19 and Sch.2, 23, 24, 32(9) and Sch.5 (partially), 34 and Sch.6 (partially), 38 and Sch. 7 (partially)	28th February 2002	2002/345 (C. 8)
ss 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 31 and 34 and Sch. 6 (partially)	30th September 2003	2003/2268 (C. 89)
s 20	21st July 2004	2004/1938 (C. 83)

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