

Draft Order in Council laid before Parliament under section 382(5) of the Armed Forces Act 2006, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2008 No. ***

DEFENCE

The Armed Forces, Army, Air Force and Naval
Discipline Acts (Continuation) Order 2008

Made - - - - 2008

At the Court [] at Buckingham Palace, the [] day of [] 2008

Present,

The Queen's Most Excellent Majesty in Council

A draft of this Order has been laid before Parliament and approved by a resolution of each House of Parliament.

Accordingly, Her Majesty, on the advice of Her Privy Council and in exercise of the power conferred by section 382(3) of the Armed Forces Act 2006(1), makes the following Order:

1. This Order may be cited as the Armed Forces, Army, Air Force and Naval Discipline Acts (Continuation) Order 2008.

2. The Armed Forces Act 2006, the Army Act 1955(2), the Air Force Act 1955(3) and the Naval Discipline Act 1957(4) shall, instead of expiring on 8th November 2008, continue in force until 8th November 2009.

Clerk of the Privy Council

(1) 2006 c. 52
(2) 1955 c. 18
(3) 1955 c. 19
(4) 1957 c. 53

EXPLANATORY NOTE

(This note is not part of the Order)

Section 382(3) of the Armed Forces Act 2006 (“the 2006 Act”) provides that the Army Act 1955, the Air Force Act 1955 and the Naval Discipline Act 1957 (“the Service Discipline Acts”), and the 2006 Act itself, will expire one year from the date on which the Armed Forces Act was passed unless continued in force in accordance with that section.

The Armed Forces, Army, Air Force and Naval Discipline Acts (Continuation) Order 2007 ([S.I. 2007/2123](#)) provided for the continuation of the Service Discipline Acts and the 2006 Act for a period of 12 months. Under the 2007 Order, those Acts are to continue in force until 8th November 2008.

This Order enables the Service Discipline Acts and the 2006 Act to continue in force for a further period of 12 months beyond 8th November 2008. However, by virtue of section 382(6) of the 2006 Act, this Order does not continue in force any provision of any of the Service Discipline Acts beyond such time as the repeal of that provision by the 2006 Act may be brought into force.