

*These notes refer to the Armed Forces Act 2006 (c.52)
which received Royal Assent on 8 November 2006*

ARMED FORCES ACT 2006

EXPLANATORY NOTES

COMMENTARY

First Group of Parts – Discipline

Part 1 – Offences

Criminal conduct

Section 42: Criminal conduct

121. Under this section it is an offence for a person subject to service law, or a civilian subject to service discipline, to do something which is an offence under the criminal law of England and Wales or would be such an offence if done in England or Wales.
122. The punishments available on conviction of an offence under this section depend on those available for the civilian offence to which the offence corresponds. If the civilian offence is punishable with imprisonment, all the punishments listed in section 164 are available, but a sentence of imprisonment, or a fine, must not exceed the maximum that could be imposed for the corresponding offence. If the civilian offence is not punishable with imprisonment, any punishment listed in section 164 is available except imprisonment, dismissal with disgrace, dismissal and detention, but again the maximum fine is the same as for the corresponding offence.