

*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 12 – Service and Effect of Certain Sentences

Commencement of sentence

Section 291: Commencement of consecutive term of service detention awarded by CO

567. This section adapts the rules in section 189 for the case where a CO makes an award of service detention consecutive to an existing award. Unless the offender elects to start the new sentence as soon as the old one expires, the new one does not take effect until the old one has expired and the appeal period has expired or any appeal has been disposed of.
568. If the offender does elect to start the new sentence at the end of the old one, he can withdraw the election during the appeal period. If he withdraws the election before the end of the old sentence, the new one does not take effect until the old one has expired and the appeal period has expired or any appeal has been disposed of. If he withdraws the election when the old sentence has expired and the new one has begun, the new one ceases to have effect, and resumes only when the appeal period expires or any appeal is disposed of.
569. If an appeal is brought before the old sentence expires, the new one does not take effect until the old one has expired and the appeal has been disposed of. If an appeal is brought after the old sentence has expired and the new one has taken effect, the new one ceases to have effect and resumes only when the appeal is disposed of.