

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

# **ARMED FORCES ACT 2006**

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## **EXPLANATORY NOTES**

### **COMMENTARY**

#### *First Group of Parts – Discipline*

#### **Part 8 – Sentencing Powers and Mandatory Etc Sentences**

#### *Chapter 4 – Imprisonment for Term of Under 12 Months*

#### **Suspended sentences of imprisonment**

#### *Section 205: Amendment of order with community requirements*

425. This section modifies Part 3 of Schedule 12 to the 2003 Act (which enables a civilian court in England and Wales to amend a suspended sentence order) so that, if the order was made by a service court and includes community requirements, the court with power to amend it is the Crown Court. When there is power to re-sentence the offender for the original offence, the Crown Court has its ordinary sentencing powers (subject to the limits on the powers of the SCC, if it was the SCC that made the order). Subsection (4) enables an offender re-sentenced by the Crown Court to appeal to the civilian Court of Appeal.