



Armed Forces Act 2006

2006 CHAPTER 52

PART 8

SENTENCING POWERS AND MANDATORY ETC SENTENCES

CHAPTER 5

YOUNG OFFENDERS: CUSTODIAL SENTENCES AVAILABLE TO SERVICE COURTS

Detention and training orders

213 Application of provisions relating to civilian detention and training orders

^{F1}(1) In the following provisions of the Sentencing Code, references to a detention and training order include an order under section 211 of this Act—

- (a) sections 237 to 248;
- (b) Schedule 12.

(2) In the following provisions of the Sentencing Code, “court” includes a relevant service court—

- (a) [^{F2}sections 237 and 238];
- (b) section 246;
- (c) sections 253 and 257;
- (d) section 270.

^{F3}(3)

(3A) In its application to a relevant service court, section 253 of the Sentencing Code has effect as if the references to a sentence of detention under section 250 [^{F4}or 252A] were references to a sentence of detention under 209 of this Act.

(3B) In its application to a relevant service court, section 257 of the Sentencing Code has effect as if the references to an extended sentence of detention under section 254 were

Status: Point in time view as at 28/06/2022.

Changes to legislation: Armed Forces Act 2006, Section 213 is up to date with all changes known to be in force on or before 27 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

references to an extended sentence of detention under that section imposed as a result of section 221A of this Act.]

[^{F5}(4) Subsection (5) applies where an order under [^{F6}paragraph 3(2)(a) of Schedule 12 to the Sentencing Code (further period of detention)] is made against an offender for breach of supervision requirements—

- (a) during a period of supervision under an order under section 211 of this Act,
- (b) during a further period of supervision imposed for breach of supervision requirements during a period within paragraph (a), or
- (c) during one of a series of further periods of supervision—
 - (i) each of which apart from the first was imposed for breach of supervision requirements during the previous further period of supervision, and
 - (ii) the first of which was imposed for breach of supervision requirements during a period within paragraph (a).

[^{F7}(5) Paragraph 5(2) of Schedule 12 to the Sentencing Code has effect as if, in the closing words, after “Schedule” there were inserted “ and section 214 of the Armed Forces Act 2006 ”.]

(6) In subsection (4)—

“further period of supervision” means a period of supervision imposed under [^{F8}paragraph 3(2)(b) of Schedule 12 to the Sentencing Code];

[^{F9}“supervision requirement” has the meaning given in paragraph 1 of Schedule 12 to the Sentencing Code].

^{F10}(7)]

[^{F11}(8) In this section, “relevant service court” has the same meaning as in Chapter 4 of Part 8 (see section 207).]

Textual Amendments

- F1** S. 213(1)-(3B) substituted (1.12.2020) for s. 213(1)-(3) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 25 para. 33\(2\)](#) (with s. 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F2** Words in s. 213(2)(a) substituted (28.6.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), s. 208(5)(s), [Sch. 16 para. 15\(a\)](#)
- F3** S. 213(3) omitted (28.6.2022) by virtue of [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), s. 208(5)(s), [Sch. 16 para. 15\(b\)](#)
- F4** Words in s. 213(3A) inserted (30.4.2021) by [Counter-Terrorism and Sentencing Act 2021 \(c. 11\)](#), s. 50(1)(i), [Sch. 13 para. 23\(3\)](#)
- F5** S. 213(4)-(7) inserted (3.12.2012) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), [ss. 80\(9\)\(b\)](#), [151\(1\)](#) (with s. 80(10)(11)); S.I. 2012/2906, art. 2(a)
- F6** Words in s. 213(4) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 25 para. 33\(3\)](#) (with s. 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F7** S. 213(5) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 25 para. 33\(4\)](#) (with s. 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F8** Words in s. 213(6) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 25 para. 33\(5\)\(a\)](#) (with s. 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F9** Words in s. 213(6) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 25 para. 33\(5\)\(b\)](#) (with s. 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2
- F10** S. 213(7) omitted (1.12.2020) by virtue of [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 25 para. 33\(6\)](#) (with s. 416(7), [Sch. 27](#)); S.I. 2020/1236, reg. 2

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F11 S. 213(8) inserted (1.12.2020) by Sentencing Act 2020 (c. 17), s. 416(1), **Sch. 25 para. 33(7)** (with s. 416(7), Sch. 27); S.I. 2020/1236, reg. 2

Commencement Information

- I1** S. 213 in force at 28.3.2009 for specified purposes by S.I. 2009/812, **art. 3(a)(b)** (with transitional provisions in S.I. 2009/1059)
- I2** S. 213 in force at 31.10.2009 in so far as not already in force by S.I. 2009/1167, **art. 4**

Status:

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