



Armed Forces Act 2006

2006 CHAPTER 52

First Group of Parts Discipline

PART 2

JURISDICTION AND TIME LIMITS

CHAPTER 3

DOUBLE JEOPARDY

64 Service proceedings barring subsequent civilian proceedings

- (1) This section applies where a person—
 - (a) has been convicted or acquitted of an offence under section 42 (criminal conduct); or
 - (b) has had such an offence taken into consideration when being sentenced.
- (2) A civilian court in a relevant territory may not try that person for any offence for which, under the law of that territory, it would be debarred from trying him if he had been convicted or (as the case may be) acquitted by a court in England and Wales of the relevant offence.
- (3) “The relevant offence” means the offence under the law of England and Wales which the act (or alleged act) constituting the offence under section 42 amounted to.
- (4) Where that act (or alleged act) would amount to an offence under the law of England and Wales if it had been done in England or Wales, for the purposes of subsection (3) it shall be assumed to amount to that offence.
- (5) In this section “relevant territory” means—
 - (a) England and Wales;
 - (b) Scotland;
 - (c) Northern Ireland; or

Status: This is the original version (as it was originally enacted).

(d) the Isle of Man.

(6) In this section “act” includes an omission and references to the doing of an act are to be read accordingly.