



Armed Forces Act 2021

2021 CHAPTER 35

Service police: complaints, misconduct etc

12 Framework for establishment of tri-service serious crime unit

- (1) AFA 2006 is amended as follows.
- (2) In section 365A (Provost Marshals: appointment), in subsection (1), after “force” insert “, or to be Provost Marshal for serious crime,”.
- (3) In section 115A (Provost Marshal’s duty in relation to independence of investigations)
 - (a) in subsection (1), for “This section” substitute “Subsection (2)”;
 - (b) after subsection (2) insert—

“(2A) The Provost Marshal for serious crime has a duty, owed to the Defence Council, to seek to ensure that all investigations carried out by the tri-service serious crime unit are free from improper interference.”;
 - (c) in subsection (3), at the end insert “or (as the case may be) the unit.”
- (4) In section 375 (definitions relating to police forces)—
 - (a) in the heading, after “to” insert “the service police and other”;
 - (b) after subsection (1) insert—

“(1A) In this Act the “tri-service serious crime unit” means a unit under the direction of the Provost Marshal for serious crime, each member of which is a member of a service police force.”
- (5) Schedule 5 makes further provision about the tri-service serious crime unit and the Provost Marshal for serious crime.
- (6) The Secretary of State may by regulations made by statutory instrument make such provision amending or revoking any provision of subordinate legislation made before the passing of this Act as appears to the Secretary of State to be appropriate in consequence of any provision of this section or Schedule 5.

Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 2021, Section 12. (See end of Document for details)

- (7) Regulations under subsection (6) may include transitional provisions or savings.
- (8) A statutory instrument containing regulations under subsection (6) is subject to annulment in pursuance of a resolution of either House of Parliament.
- (9) In subsection (6) “subordinate legislation” means—
- (a) subordinate legislation within the meaning of the Interpretation Act 1978,
 - (b) an instrument made under an Act of the Scottish Parliament, or
 - (c) an instrument made under Northern Ireland legislation.

Commencement Information

- I1** S. 12 not in force at Royal Assent, see [s. 24\(1\)](#)
- I2** [S. 12](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)
- I3** [S. 12](#) in force at 5.12.2022 in so far as not already in force by [S.I. 2022/1095](#), [reg. 4](#)

Changes to legislation:

There are currently no known outstanding effects for the Armed Forces Act 2021, Section 12.