

Changes to legislation: There are currently no known outstanding effects for the Police, Crime, Sentencing and Courts Act 2022, PART 2. (See end of Document for details)

SCHEDULES

SCHEDULE 16

DETENTION AND TRAINING ORDERS: TIME TO COUNT AS SERVED

PART 2

DETENTION AND TRAINING ORDERS MADE UNDER ARMED FORCES ACT 2006

14 The Armed Forces Act 2006 is amended as follows.

Commencement Information

II Sch. 16 para. 14 in force at 28.6.2022, see s. 208(5)(t)

15 In section 213 (application of provisions relating to civilian detention and training orders)—

- (a) in subsection (2)(a), for “sections 237 to 240” substitute “sections 237 and 238”;
- (b) omit subsection (3).

Commencement Information

I2 Sch. 16 para. 15 in force at 28.6.2022, see s. 208(5)(t)

16 After section 213 insert—

“213A Period in service custody: effect on term of detention and training order

- (1) Subsection (2) applies where—
 - (a) the Court Martial or the Service Civilian Court proposes to make an order under section 211 in respect of an offence, and
 - (b) the offender has been kept in service custody in connection with the offence or any other offence the charge for which was founded on the same facts or evidence.
- (2) In determining the term of the order under section 211, the court must take account of the period for which the offender was kept in service custody.
- (3) If the court proposes to make two or more orders under section 211 in respect of two or more offences—
 - (a) subsection (2) does not apply, but

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- (b) in determining the total term of those orders, the court must take account of the total period for which the offender has been kept in service custody in connection with—
 - (i) any of those offences, or
 - (ii) any other offence the charge for which was founded on the same facts or evidence.
- (4) A period of service custody may be taken account of under this section only once.

213B Period of custody awaiting extradition: effect on term of detention and training order

- (1) This section applies where—
 - (a) the Court Martial or the Service Civilian Court proposes to make an order under section 211 in respect of an offence,
 - (b) the offender was tried for the offence, or is to be sentenced—
 - (i) after having been extradited to the United Kingdom, and
 - (ii) without having first been restored or had an opportunity of leaving the United Kingdom, and
 - (c) the offender was kept in custody for any period while awaiting extradition to the United Kingdom.
- (2) The court must—
 - (a) specify in open court the number of days for which the offender was kept in custody while awaiting extradition, and
 - (b) take account of those days in determining the term of the order.”

Commencement Information

I3 Sch. 16 para. 16 in force at 28.6.2022, see **s. 208(5)(t)**

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