

2007 No. 662 (C. 28)

DEFENCE

The Armed Forces Act 2001 (Commencement No.8) Order 2007

Made - - - - 27th February 2007

The Secretary of State makes the following Order in exercise of the powers conferred by section 39(2) of the Armed Forces Act 2001^(a):

1. This Order may be cited as the Armed Forces Act 2001 (Commencement No.8) Order 2007.
2. Section 21 of the Armed Forces Act 2001 shall come into force on 28th February 2007.

Derek Twigg
Parliamentary Under Secretary of State
Ministry of Defence

Date 27th February 2007

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force section 21 of the Armed Forces Act 2001. Section 21 inserts new sections into the Army Act 1955 (c. 18), the Air Force Act 1955 (c. 19) and the Naval Discipline Act 1957 (c. 53). The new sections make provision equivalent to that provided for in the civilian system by sections 35 and 36 of the Criminal Justice Act 1988 (c. 33), for the Attorney General to refer a case to the Courts-Martial Appeal Court where he considers that a sentence passed on a person by a court-martial was unduly lenient. This power is only exercisable in relation to those offences where the corresponding civil offence would be triable only on indictment.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 1, 34 (partially) and Schedule 6 (partially), sections 35, 36, 37, 38 (partially) and Schedule 7 (partially), and section 39	11th May 2001	Royal Assent
Section 34 (partially) and Schedule 6 (partially), and section 38 (partially) and Schedule 7 (partially)	1st October 2001	2001/3234 (C.104)

(a) 2001 c.19

Section 17 and Schedule 1, sections 18, 19 and Schedule 2, sections 23, 24, 32 (partially) and Schedule 5 (partially), section 34 (partially) and Schedule 6 (partially), section 38 (partially) and Schedule 7 (partially)	28th February 2002	2002/345 (C. 8)
Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 31, and 34 (partially) and Schedule 6 (partially)	30th September 2003	2003/2268 (C. 89)
Section 20	21st July 2004	2004/1938 (C. 83)
Sections 26, 27 and 28	14th October 2005	2005/2861 (C.120)
Sections 32 (partially), 33 and Schedule 5 (partially)	1st February 2006	2006/235 (C.6)
Sections 29, 30 and Schedule 4	7th August 2006	2006/2309 (C.79)

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