
STATUTORY INSTRUMENTS

2009 No. 1059

**The Armed Forces Act 2006
(Transitional Provisions etc) Order 2009**

PART 19

ENLISTMENT, TERMS OF SERVICE ETC

Desertion and absence without leave: forfeiture of service etc

192.—(1) In section 330(1) of AFA 2006 (power to make regulations with respect to a confession of desertion) references to a confession that a person is guilty of an offence under section 8 of that Act include a confession, whether made before or after commencement, that he is guilty of an offence under section 37 of AA 1955 or AFA 1955 or section 16 of NDA 1957.

(2) In section 330(2) of AFA 2006 (power to make regulations providing for forfeiture of service by a person convicted of desertion) the reference to an offence under section 8 of that Act includes an offence under section 37 of AA 1955 or AFA 1955 or section 16 of NDA 1957.

(3) Section 330(1) to (3) of AFA 2006 are to be read as including power to make provision as to the effect of—

- (a) a direction given under section 81(2) of AA 1955 or AFA 1955,
- (b) an order made under section 74(1) of NDA 1957, or
- (c) the forfeiture of a period of service by virtue of section 17(1) or 81(2) of AA 1955 or AFA 1955, or section 74(1) or 129D(1) of NDA 1957,

and enabling a determination to be made in prescribed circumstances restoring (in whole or in part) a period of service forfeited by virtue of such a direction or order or of any provision mentioned in sub-paragraph (c).

Changes to legislation:

There are currently no known outstanding effects for the The Armed Forces Act 2006 (Transitional Provisions etc) Order 2009, Section 192.