

*Draft Order in Council laid before Parliament under section 382(4) of the Armed Forces Act 2006,  
for approval by resolution of each House of Parliament.*

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DRAFT STATUTORY INSTRUMENTS

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**2021 No. [ ]**

**DEFENCE**

**The Armed Forces Act (Continuation) Order 2021**

*Made* - - - - *\*\*\**

At the Court at Buckingham Palace, the *\*\*\** day of *\*\*\**

Present,

The Queen's Most Excellent Majesty in Council

A draft of this Order has been laid before Parliament and approved by a resolution of each House of Parliament.

Accordingly, Her Majesty, on the advice of Her Privy Council and in exercise of the power conferred by section 382(2) of the Armed Forces Act 2006(1), makes the following Order:

1. This Order may be cited as the Armed Forces Act (Continuation) Order 2021.
2. The Armed Forces Act 2006 shall, instead of expiring at the end of 11th May 2021, expire at the end of 31st December 2021.

*Name*  
Clerk of the Privy Council

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(1) 2006 c. 52; section 382 was substituted by section 1 of the Armed Forces Act 2016 (c. 21).

## EXPLANATORY NOTE

*(This note is not part of the Order)*

Section 382 of the Armed Forces Act 2006 (“the 2006 Act”) provides that the 2006 Act will expire at the end of one year beginning with the day on which the Armed Forces Act 2016 was passed (which was on 12th May 2016) unless continued in force by Order in Council in accordance with that section. Such Orders in Council may provide for the continuation of the 2006 Act for a period of not more than one year at a time. But such Orders in Council may not provide for the continuation of the 2006 Act beyond the end of the year 2021. The Armed Forces Act (Continuation) Order 2017 ([S.I. 2017/569](#)), the Armed Forces Act (Continuation) Order 2018 ([S.I. 2018/519](#)), the Armed Forces Act (Continuation) Order 2019 ([S.I. 2019/561](#)) and the Armed Forces Act (Continuation) Order 2020 ([S.I. 2020/396](#)) each provided for the continuation of the 2006 Act for a period of 12 months. The 2006 Act was therefore due to expire at the end of 11th May 2021. This Order provides for the further continuation of the 2006 Act until the end of 2021.