



Armed Forces Act 2006

2006 CHAPTER 52

PART 6

SUMMARY HEARING AND APPEALS AND REVIEW

CHAPTER 3

REVIEW OF SUMMARY FINDINGS AND PUNISHMENTS

152 Review of summary findings and punishments

- (1) Where—
 - (a) a charge has been heard summarily, and
 - (b) a finding that the charge has been proved has been recorded,
the finding or the punishment awarded may be reviewed at any time.
- (2) A review under this section may be carried out by—
 - (a) the Defence Council; or
 - (b) any officer appointed by the Defence Council to carry out the review or any class of review which includes the review.
- (3) Subsection (4) applies where—
 - (a) a review has been carried out under this section in respect of a finding or punishment; and
 - (b) the person to whom the review relates has not brought an appeal under section 141 within the period provided by subsection (2) of that section.
- (4) The person who carried out the review may, with the leave of the Summary Appeal Court, refer the finding or punishment to the court to be considered by it as on an appeal.
- (5) Subsections (6) and (7) apply where—

Status: Point in time view as at 31/07/2014. This version of this provision has been superseded.

Changes to legislation: Armed Forces Act 2006, Section 152 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) a review has been carried out under this section in respect of a finding or punishment; and
 - (b) the person to whom the review relates has brought an appeal under section 141.
- (6) If—
- (a) the Summary Appeal Court has not completed the hearing of the appeal, and
 - (b) the person who carried out the review considers that any matter arising at or from the summary hearing should be brought to the notice of the court,
- he may notify the court of that matter.
- (7) If—
- (a) the Summary Appeal Court has completed the hearing of the appeal, and
 - (b) the person who carried out the review considers that any matter arising at or from the summary hearing of which the court was not aware should have been brought to the notice of the court,
- he may, with the leave of the court, refer the finding or punishment, including any finding or punishment substituted or awarded by the court, to the court to be considered by it as on an appeal.
- (8) A reference to the Summary Appeal Court under subsection (4) or (7) shall be treated for the purposes of this Act as an appeal under section 141 brought by the person to whom the finding or punishment relates against the finding or punishment.

Commencement Information

- 11** S. 152 in force at 28.3.2009 for specified purposes by [S.I. 2009/812](#), **art. 3(a)(b)** (with transitional provisions in [S.I. 2009/1059](#))
- 12** S. 152 in force at 31.10.2009 in so far as not already in force by [S.I. 2009/1167](#), **art. 4**

Status:

Point in time view as at 31/07/2014. This version of this provision has been superseded.

Changes to legislation:

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