

*Status: Point in time view as at 01/11/2022.*

*Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 2021, Schedule 5. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 5 **U.K.**

Section 12

#### TRI-SERVICE SERIOUS CRIME UNIT

##### *Police and Criminal Evidence Act 1984 (c.60)*

- 1 (1) Section 63A of the Police and Criminal Evidence Act 1984 (fingerprints and samples: supplementary provision) is amended as follows.
  - (2) In subsection (1A)—
    - (a) after paragraph (b) insert—

“(ba) the tri-service serious crime unit;”;
    - (b) in paragraph (d), for “(c)” substitute “(ba)”.
  - (3) After subsection (1B) insert—

“(1BA) In subsection (1A) “tri-service serious crime unit” means the unit described in section 375(1A) of the Armed Forces Act 2006.”

##### **Commencement Information**

- I1** Sch. 5 para. 1 not in force at Royal Assent, see [s. 24\(1\)](#)
- I2** [Sch. 5 para. 1](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

##### *Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12))*

- 2 (1) Article 63A of the Police and Criminal Evidence (Northern Ireland) Order 1989 (fingerprints and samples: supplementary provision) is amended as follows.
  - (2) In paragraph (1A)—
    - (a) after sub-paragraph (b) insert—

“(ba) the tri-service serious crime unit;”;
    - (b) in sub-paragraph (c), for “or (b)” substitute “to (ba)”.
  - (3) After paragraph (1B) insert—

“(1BA) In paragraph (1A) “tri-service serious crime unit” means the unit described in section 375(1A) of the Armed Forces Act 2006.”

##### **Commencement Information**

- I3** Sch. 5 para. 2 not in force at Royal Assent, see [s. 24\(1\)](#)
- I4** [Sch. 5 para. 2](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

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### *Criminal Appeal Act 1995 (c. 35)*

3 The Criminal Appeal Act 1995 is amended as follows.

#### **Commencement Information**

- I5** Sch. 5 para. 3 not in force at Royal Assent, see **s. 24(1)**  
**I6** Sch. 5 para. 3 in force at 1.5.2022 for specified purposes by **S.I. 2022/471, reg. 2(e)**

4 (1) Section 19 (power to require appointment of investigating officers) is amended as follows.

(2) After subsection (2) insert—

“(2A) Where the Commission has power to impose a requirement under paragraph (a) of subsection (2) and the public body referred to in that paragraph is mentioned in section 22(4A), that power includes power to impose the requirement on the Provost Marshal for serious crime (instead of the person who is the appropriate person in relation to the public body).”

(3) In subsection (4)(b), for the words from “either” to the end substitute “in a body selected by the chief officer which is—

- (i) another police force,
- (ii) a service police force, or
- (iii) the tri-service serious crime unit.”

(4) In subsection (4A)—

- (a) in the words before paragraph (a), for “a Provost Marshal” substitute “the Provost Marshal of a service police force”;
- (b) in paragraph (a), for the words from “the” to “Marshal” substitute “that service police force”;
- (c) for paragraph (b) substitute—
  - “(b) a requirement to appoint a person serving in a body selected by the Provost Marshal which is—
  - (i) a police force,
  - (ii) another service police force, or
  - (iii) the tri-service serious crime unit.”

(5) After subsection (4A) insert—

“(4B) A requirement under this section imposed on the Provost Marshal for serious crime may be—

- (a) a requirement to appoint a person serving in the tri-service serious crime unit, or
- (b) a requirement to appoint a person serving either in a police force selected by the Provost Marshal or in a service police force selected by the Provost Marshal.”

(6) In subsection (5), for paragraph (b) substitute—

- “(b) a requirement to appoint a person serving in a body selected by the appropriate person which is—
- (i) a police force, a service police force or the tri-service serious crime unit, or

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(ii) a public body (not falling within sub-paragraph (i)) having functions which consist of or include the investigation of offences.”

(7) In subsection (6)—

- (a) in paragraph (b), for the words from “a police” to “body” substitute “a body mentioned in subsection (4)(b), (4A)(b), (4B)(b) or (5)(b)”;
- (b) in the words after paragraph (b), after “(4A)” insert “, (4B)”.

(8) In subsection (7)—

- (a) in the words before paragraph (a), after “body” insert “or by the Provost Marshal for serious crime”;
- (b) in paragraph (a), after “body” insert “or (as the case requires) the Provost Marshal for serious crime”.

(9) After subsection (7) insert—

“(8) In this section “tri-service serious crime unit” means the unit described in section 375(1A) of the Armed Forces Act 2006.”

#### Commencement Information

- 17** Sch. 5 para. 4 not in force at Royal Assent, see [s. 24\(1\)](#)
- 18** Sch. 5 para. 4 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

5 In section 20 (inquiries by investigating officers), after subsection (2) insert—

“(2A) In the application of subsection (2) in relation to an investigating officer who is serving in a public body mentioned in section 22(4A), the reference in subsection (2) to the person who is the appropriate person in relation to that public body is to be read as including (so far as necessary) a reference to the Provost Marshal for serious crime.”

#### Commencement Information

- 19** Sch. 5 para. 5 not in force at Royal Assent, see [s. 24\(1\)](#)
- 110** Sch. 5 para. 5 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

#### Commencement Information

- 15** Sch. 5 para. 3 not in force at Royal Assent, see [s. 24\(1\)](#)
- 16** Sch. 5 para. 3 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)
- 17** Sch. 5 para. 4 not in force at Royal Assent, see [s. 24\(1\)](#)
- 18** Sch. 5 para. 4 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)
- 19** Sch. 5 para. 5 not in force at Royal Assent, see [s. 24\(1\)](#)
- 110** Sch. 5 para. 5 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

#### *Police Act 1997 (c. 50)*

6 The Police Act 1997 is amended as follows.

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#### Commencement Information

- I11** Sch. 5 para. 6 not in force at Royal Assent, see [s. 24\(1\)](#)  
**I12** [Sch. 5 para. 6](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

- 7 (1) Section 93 (authorisation to interfere with property etc) is amended as follows.
- (2) In subsection (3), after paragraph (aa) insert—  
“(aaa) if the authorising officer is within subsection (5)(eda), by a member of the tri-service serious crime unit;”.
- (3) In subsection (5), after paragraph (ed) insert—  
“(eda) the Provost Marshal for serious crime;”.
- (4) In subsection (6A), in the words before paragraph (a), for “or (ed)” substitute “, (ed) or (eda)”.

#### Commencement Information

- I13** Sch. 5 para. 7 not in force at Royal Assent, see [s. 24\(1\)](#)  
**I14** [Sch. 5 para. 7](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

- 8 In section 94 (authorisations given in absence of authorising officer), in subsection (2), after paragraph (dc) insert—  
“(dca) where the authorising officer is within paragraph (eda) of that subsection, by a person holding the position of deputy Provost Marshal in the tri-service serious crime unit;”.

#### Commencement Information

- I15** Sch. 5 para. 8 not in force at Royal Assent, see [s. 24\(1\)](#)  
**I16** [Sch. 5 para. 8](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

- 9 In section 108 (interpretation of Part 3), in subsection (1), at the appropriate place insert—  
““tri-service serious crime unit” means the unit described in section 375(1A) of the Armed Forces Act 2006;”.

#### Commencement Information

- I17** Sch. 5 para. 9 not in force at Royal Assent, see [s. 24\(1\)](#)  
**I18** [Sch. 5 para. 9](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

- 10 In section 113B (enhanced criminal record certificates), in subsection (11), after paragraph (b) insert—  
“(ba) the tri-service serious crime unit (and for this purpose a reference to the chief officer of a police force must be taken to be a reference to the Provost Marshal for serious crime);”.

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#### Commencement Information

- I19 Sch. 5 para. 10 not in force at Royal Assent, see [s. 24\(1\)](#)
- I20 [Sch. 5 para. 10](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

- 11 In section 126 (interpretation of Part 5), in subsection (1), at the appropriate place insert—

““tri-service serious crime unit” means the unit described in section 375(1A) of the Armed Forces Act 2006.”

#### Commencement Information

- I21 Sch. 5 para. 11 not in force at Royal Assent, see [s. 24\(1\)](#)
- I22 [Sch. 5 para. 11](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

#### Commencement Information

- I11 Sch. 5 para. 6 not in force at Royal Assent, see [s. 24\(1\)](#)
- I12 [Sch. 5 para. 6](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)
- I13 Sch. 5 para. 7 not in force at Royal Assent, see [s. 24\(1\)](#)
- I14 [Sch. 5 para. 7](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)
- I15 Sch. 5 para. 8 not in force at Royal Assent, see [s. 24\(1\)](#)
- I16 [Sch. 5 para. 8](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)
- I17 Sch. 5 para. 9 not in force at Royal Assent, see [s. 24\(1\)](#)
- I18 [Sch. 5 para. 9](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)
- I19 Sch. 5 para. 10 not in force at Royal Assent, see [s. 24\(1\)](#)
- I20 [Sch. 5 para. 10](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)
- I21 Sch. 5 para. 11 not in force at Royal Assent, see [s. 24\(1\)](#)
- I22 [Sch. 5 para. 11](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

#### *Terrorism Act 2000 (c. 11)*

- 12 In Schedule 8 to the Terrorism Act 2000 (detention), in paragraph 20J, in the definition of “police force”, after paragraph (I) insert—

“and references to a police force are to be read as including the tri-service serious crime unit (as described in section 375(1A) of the Armed Forces Act 2006);”.

#### Commencement Information

- I23 Sch. 5 para. 12 not in force at Royal Assent, see [s. 24\(1\)](#)
- I24 [Sch. 5 para. 12](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

#### *Regulation of Investigatory Powers Act 2000 (c. 23)*

- 13 The Regulation of Investigatory Powers Act 2000 is amended as follows.

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#### Commencement Information

**I25** Sch. 5 para. 13 not in force at Royal Assent, see [s. 24\(1\)](#)

**I26** [Sch. 5 para. 13](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

- 14 In section 32 (authorisation of intrusive surveillance), in subsection (6), after paragraph (i) insert—

“(ia) the Provost Marshal for serious crime;”.

#### Commencement Information

**I27** Sch. 5 para. 14 not in force at Royal Assent, see [s. 24\(1\)](#)

**I28** [Sch. 5 para. 14](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

- 15 (1) Section 33 (rules for grant of authorisations) is amended as follows.

- (2) After subsection (1) insert—

“(1ZZA) A person who is a designated person for the purposes of section 28, 29 or 29B by reference to the person’s office, rank or position with the tri-service serious crime unit must not grant an authorisation under that section except on an application made by a member of that unit.”

- (3) After subsection (3) insert—

“(3ZZA) The Provost Marshal for serious crime must not grant an authorisation for the carrying out of intrusive surveillance except—

- (a) on an application made by a member of the tri-service serious crime unit; and
- (b) in the case of an authorisation for the carrying out of intrusive surveillance in relation to any residential premises, where those premises are in the area of operation of a police force mentioned in subsection (6)(d).”

#### Commencement Information

**I29** Sch. 5 para. 15 not in force at Royal Assent, see [s. 24\(1\)](#)

**I30** [Sch. 5 para. 15](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

- 16 (1) Section 34 (grant of authorisations in the senior officer’s absence) is amended as follows.

- (2) In subsection (1)(a), for “force,” substitute “force (other than a member of the tri-service serious crime unit), a member of the tri-service serious crime unit,”.

- (3) In subsection (2)(a), after “as the case may be, as” insert “Provost Marshal for serious crime or”.

- (4) In subsection (4), after paragraph (h) insert—

“(ha) a person is entitled to act for the Provost Marshal for serious crime if the person holds the position of deputy Provost Marshal in the tri-service serious crime unit;”.

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#### Commencement Information

**I31** Sch. 5 para. 16 not in force at Royal Assent, see [s. 24\(1\)](#)

**I32** [Sch. 5 para. 16](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

- 17 (1) Section 35 (notification of authorisations for intrusive surveillance) is amended as follows.
- (2) In subsection (1), after “police,” insert “tri-service serious crime unit,”.
- (3) In subsection (10)—
- (a) in the words before paragraph (a), after “police,” insert “tri-service serious crime unit,”;
  - (b) after paragraph (a) insert—  
“*(aa)* the Provost Marshal for serious crime;”;
  - (c) in paragraph (c), after “(a)” insert “or for a person falling within paragraph *(aa)*”.

#### Commencement Information

**I33** Sch. 5 para. 17 not in force at Royal Assent, see [s. 24\(1\)](#)

**I34** [Sch. 5 para. 17](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

- 18 (1) Section 36 (approval required for authorisations to take effect) is amended as follows.
- (2) In subsection (1), after paragraph (a) insert—  
“*(aa)* a member of the tri-service serious crime unit;”.
- (3) In subsection (6)—
- (a) after paragraph (a) insert—  
“*(aa)* where the authorisation was granted by the Provost Marshal for serious crime or a person entitled to act for the Provost Marshal for serious crime by virtue of section 34(4)(ha), that Provost Marshal;”;
  - (b) in paragraph (f), for “(a) to (i)” substitute “(a) to (h) or (i)”.

#### Commencement Information

**I35** Sch. 5 para. 18 not in force at Royal Assent, see [s. 24\(1\)](#)

**I36** [Sch. 5 para. 18](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

- 19 In section 41 (Secretary of State authorisations), in subsection (7), at the end insert “or is a member of the tri-service serious crime unit”.

#### Commencement Information

**I37** Sch. 5 para. 19 not in force at Royal Assent, see [s. 24\(1\)](#)

**I38** [Sch. 5 para. 19](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

- 20 In section 56(1)(interpretation of Part 3), in the definition of “chief officer of police”, after paragraph (h) insert—

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“(ha) the Provost Marshal for serious crime;”.

#### Commencement Information

- I39** Sch. 5 para. 20 not in force at Royal Assent, see [s. 24\(1\)](#)  
**I40** Sch. 5 para. 20 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

- 21 (1) Section 81 (general interpretation) is amended as follows.
- (2) In subsection (1), at the appropriate place insert—  
““tri-service serious crime unit” means the unit described in section 375(1A) of the Armed Forces Act 2006;”.
- (3) In subsection (6)(b), for the words from “serving” to the end substitute “serving—  
(i) with that force,  
(ii) with another of those police forces, or  
(iii) with the tri-service serious crime unit.”

#### Commencement Information

- I41** Sch. 5 para. 21 not in force at Royal Assent, see [s. 24\(1\)](#)  
**I42** Sch. 5 para. 21 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

- 22 In Schedule 1 (regulation of relevant public authorities), after paragraph A1 insert—  
“A1A The tri-service serious crime unit.”

#### Commencement Information

- I43** Sch. 5 para. 22 not in force at Royal Assent, see [s. 24\(1\)](#)  
**I44** Sch. 5 para. 22 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

#### Commencement Information

- I25** Sch. 5 para. 13 not in force at Royal Assent, see [s. 24\(1\)](#)  
**I26** Sch. 5 para. 13 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)  
**I27** Sch. 5 para. 14 not in force at Royal Assent, see [s. 24\(1\)](#)  
**I28** Sch. 5 para. 14 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)  
**I29** Sch. 5 para. 15 not in force at Royal Assent, see [s. 24\(1\)](#)  
**I30** Sch. 5 para. 15 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)  
**I31** Sch. 5 para. 16 not in force at Royal Assent, see [s. 24\(1\)](#)  
**I32** Sch. 5 para. 16 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)  
**I33** Sch. 5 para. 17 not in force at Royal Assent, see [s. 24\(1\)](#)  
**I34** Sch. 5 para. 17 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)  
**I35** Sch. 5 para. 18 not in force at Royal Assent, see [s. 24\(1\)](#)  
**I36** Sch. 5 para. 18 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)  
**I37** Sch. 5 para. 19 not in force at Royal Assent, see [s. 24\(1\)](#)  
**I38** Sch. 5 para. 19 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)  
**I39** Sch. 5 para. 20 not in force at Royal Assent, see [s. 24\(1\)](#)  
**I40** Sch. 5 para. 20 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)  
**I41** Sch. 5 para. 21 not in force at Royal Assent, see [s. 24\(1\)](#)



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- I42 Sch. 5 para. 21 in force at 1.5.2022 for specified purposes by S.I. 2022/471, reg. 2(e)
- I43 Sch. 5 para. 22 not in force at Royal Assent, see s. 24(1)
- I44 Sch. 5 para. 22 in force at 1.5.2022 for specified purposes by S.I. 2022/471, reg. 2(e)

### *Sexual Offences Act 2003 (c. 42)*

- 23 In section 137 of the Sexual Offences Act 2003 (service courts), in subsection (4), at the appropriate place insert—
- ““Provost Marshal” means the Provost Marshal of a service police force or the Provost Marshal for serious crime;”.

#### **Commencement Information**

- I45 Sch. 5 para. 23 not in force at Royal Assent, see s. 24(1)
- I46 Sch. 5 para. 23 in force at 1.5.2022 for specified purposes by S.I. 2022/471, reg. 2(e)

### *Armed Forces Act 2006 (c. 52)*

- 24 AFA 2006 is amended as follows.

#### **Commencement Information**

- I47 Sch. 5 para. 24 not in force at Royal Assent, see s. 24(1)
- I48 Sch. 5 para. 24 in force at 1.5.2022 for specified purposes by S.I. 2022/471, reg. 2(e)

- 25 (1) Section 93C (preliminary impairment test) is amended as follows.
- (2) In subsection (4), for the words from “means” to the end substitute “means—
- (a) the Provost Marshals of each of the service police forces, and
  - (b) the Provost Marshal for serious crime.”
- (3) In subsection (6), at the end insert “or the Provost Marshal for serious crime”.

#### **Commencement Information**

- I49 Sch. 5 para. 25 not in force at Royal Assent, see s. 24(1)
- I50 Sch. 5 para. 25 in force at 1.5.2022 for specified purposes by S.I. 2022/471, reg. 2(e)

- 26 In section 113 (CO to ensure service police aware of possibility serious offence committed), in subsection (1), after “police force” insert “or the tri-service serious crime unit”.

#### **Commencement Information**

- I51 Sch. 5 para. 26 not in force at Royal Assent, see s. 24(1)
- I52 Sch. 5 para. 26 in force at 1.5.2022 for specified purposes by S.I. 2022/471, reg. 2(e)

- 27 In section 114 (CO to ensure service police aware of certain circumstances), in subsection (1), after “police force” insert “or the tri-service serious crime unit”.

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#### Commencement Information

**I53** Sch. 5 para. 27 not in force at Royal Assent, see [s. 24\(1\)](#)

**I54** [Sch. 5 para. 27](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

- 28 In section 115 (duty of CO with respect to investigation of service offences), in subsections (1)(b) and (4)(b), after “police force” insert “or the tri-service serious crime unit”.

#### Commencement Information

**I55** Sch. 5 para. 28 not in force at Royal Assent, see [s. 24\(1\)](#)

**I56** [Sch. 5 para. 28](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

- 29 In section 116 (referral of case following investigation by service or civilian police), in subsection (1), after “service police force” (in each place it occurs) insert “or the tri-service serious crime unit”.

#### Commencement Information

**I57** Sch. 5 para. 29 not in force at Royal Assent, see [s. 24\(1\)](#)

**I58** [Sch. 5 para. 29](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

- 30 In section 119 (circumstances in which CO has power to charge etc), in subsection (3) (b), after “force” insert “or the tri-service serious crime unit”.

#### Commencement Information

**I59** Sch. 5 para. 30 not in force at Royal Assent, see [s. 24\(1\)](#)

**I60** [Sch. 5 para. 30](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

- 31 In section 321A (inspection of service police investigations), at the end insert—  
“(5) For the purposes of this section the tri-service serious crime unit is to be regarded as a service police force.”

#### Commencement Information

**I61** Sch. 5 para. 31 not in force at Royal Assent, see [s. 24\(1\)](#)

**I62** [Sch. 5 para. 31](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

- 32 In section 374 (definitions applying for purposes of whole Act), at the appropriate place insert—  
““tri-service serious crime unit” means the unit described in section 375(1A);”.

#### Commencement Information

**I63** Sch. 5 para. 32 not in force at Royal Assent, see [s. 24\(1\)](#)

**I64** [Sch. 5 para. 32](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

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#### Commencement Information

- I47 Sch. 5 para. 24 not in force at Royal Assent, see [s. 24\(1\)](#)
- I48 [Sch. 5 para. 24](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)
- I49 Sch. 5 para. 25 not in force at Royal Assent, see [s. 24\(1\)](#)
- I50 [Sch. 5 para. 25](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)
- I51 Sch. 5 para. 26 not in force at Royal Assent, see [s. 24\(1\)](#)
- I52 [Sch. 5 para. 26](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)
- I53 Sch. 5 para. 27 not in force at Royal Assent, see [s. 24\(1\)](#)
- I54 [Sch. 5 para. 27](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)
- I55 Sch. 5 para. 28 not in force at Royal Assent, see [s. 24\(1\)](#)
- I56 [Sch. 5 para. 28](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)
- I57 Sch. 5 para. 29 not in force at Royal Assent, see [s. 24\(1\)](#)
- I58 [Sch. 5 para. 29](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)
- I59 Sch. 5 para. 30 not in force at Royal Assent, see [s. 24\(1\)](#)
- I60 [Sch. 5 para. 30](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)
- I61 Sch. 5 para. 31 not in force at Royal Assent, see [s. 24\(1\)](#)
- I62 [Sch. 5 para. 31](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)
- I63 Sch. 5 para. 32 not in force at Royal Assent, see [s. 24\(1\)](#)
- I64 [Sch. 5 para. 32](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

#### Counter-Terrorism Act 2008 (c. 28)

- 33 In section 18E of the Counter-Terrorism Act 2008 (sections 18 to 18E: supplementary provisions) subsection (1) is amended as follows.

#### Commencement Information

- I65 Sch. 5 para. 33 not in force at Royal Assent, see [s. 24\(1\)](#)
- I66 [Sch. 5 para. 33](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

- 34 In the definition of “law enforcement authority”, after paragraph (a) insert—  
“(aa) the tri-service serious crime unit,”.

#### Commencement Information

- I67 Sch. 5 para. 34 not in force at Royal Assent, see [s. 24\(1\)](#)
- I68 [Sch. 5 para. 34](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

- 35 In the definition of “the responsible officer”, after paragraph (d) insert—  
“(da) in relation to material obtained or acquired by the tri-service serious crime unit, the Provost Marshal for serious crime;”.

#### Commencement Information

- I69 Sch. 5 para. 35 not in force at Royal Assent, see [s. 24\(1\)](#)
- I70 [Sch. 5 para. 35](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

- 36 At the appropriate place insert—

*Status: Point in time view as at 01/11/2022.*

*Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 2021, Schedule 5. (See end of Document for details)*

““tri-service serious crime unit” means the unit described in section 375(1A) of the Armed Forces Act 2006.”

#### Commencement Information

- I71 Sch. 5 para. 36 not in force at Royal Assent, see [s. 24\(1\)](#)  
I72 [Sch. 5 para. 36](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

#### Commencement Information

- I65 Sch. 5 para. 33 not in force at Royal Assent, see [s. 24\(1\)](#)  
I66 [Sch. 5 para. 33](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)  
I67 Sch. 5 para. 34 not in force at Royal Assent, see [s. 24\(1\)](#)  
I68 [Sch. 5 para. 34](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)  
I69 Sch. 5 para. 35 not in force at Royal Assent, see [s. 24\(1\)](#)  
I70 [Sch. 5 para. 35](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)  
I71 Sch. 5 para. 36 not in force at Royal Assent, see [s. 24\(1\)](#)  
I72 [Sch. 5 para. 36](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

### *Coroners and Justice Act 2009 (c. 25)*

37 The Coroners and Justice Act 2009 is amended as follows.

#### Commencement Information

- I73 Sch. 5 para. 37 not in force at Royal Assent, see [s. 24\(1\)](#)  
I74 [Sch. 5 para. 37](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

38 In section 47 (interested person), in subsection (2)(j), at the end insert “of a service police force or of the tri-service serious crime unit”.

#### Commencement Information

- I75 Sch. 5 para. 38 not in force at Royal Assent, see [s. 24\(1\)](#)  
I76 [Sch. 5 para. 38](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

39 In section 48 (interpretation: general), in subsection (1), at the appropriate place insert—

““tri-service serious crime unit” means the unit described in section 375(1A) of the Armed Forces Act 2006.”

#### Commencement Information

- I77 Sch. 5 para. 39 not in force at Royal Assent, see [s. 24\(1\)](#)  
I78 [Sch. 5 para. 39](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

40 In Schedule 1 (duty or power to suspend investigations), in paragraph 1(3), after “Provost Marshal” insert “of a service police force, the Provost Marshal for serious crime”.

*Status: Point in time view as at 01/11/2022.*

*Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 2021, Schedule 5. (See end of Document for details)*

#### Commencement Information

- I79** Sch. 5 para. 40 not in force at Royal Assent, see [s. 24\(1\)](#)  
**I80** Sch. 5 para. 40 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

- 41 In Schedule 7 (allowances, fees and expenses), in paragraph 5(2)(a), for “or a member of a police force,” substitute “member of a police force or member of the tri-service serious crime unit.”

#### Commencement Information

- I81** Sch. 5 para. 41 not in force at Royal Assent, see [s. 24\(1\)](#)  
**I82** Sch. 5 para. 41 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

#### Commencement Information

- I73** Sch. 5 para. 37 not in force at Royal Assent, see [s. 24\(1\)](#)  
**I74** Sch. 5 para. 37 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)  
**I75** Sch. 5 para. 38 not in force at Royal Assent, see [s. 24\(1\)](#)  
**I76** Sch. 5 para. 38 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)  
**I77** Sch. 5 para. 39 not in force at Royal Assent, see [s. 24\(1\)](#)  
**I78** Sch. 5 para. 39 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)  
**I79** Sch. 5 para. 40 not in force at Royal Assent, see [s. 24\(1\)](#)  
**I80** Sch. 5 para. 40 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)  
**I81** Sch. 5 para. 41 not in force at Royal Assent, see [s. 24\(1\)](#)  
**I82** Sch. 5 para. 41 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

#### *Terrorism Prevention and Investigation Measures Act 2011 (c. 23)*

- 42 In Schedule 6 to the Terrorism Prevention and Investigation Measures Act 2011 (fingerprints and samples), in paragraph 14—
- (a) in the definition of “police force”, after paragraph (l) insert—
- “and references to a police force are to be read as including the tri-service serious crime unit;”;
- (b) at the appropriate place insert—
- ““tri-service serious crime unit” means the unit described in section 375(1A) of the Armed Forces Act 2006.”

#### Commencement Information

- I83** Sch. 5 para. 42 not in force at Royal Assent, see [s. 24\(1\)](#)  
**I84** Sch. 5 para. 42 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

#### *Investigatory Powers Act 2016 (c. 25)*

- 43 The Investigatory Powers Act 2016 is amended as follows.

*Status: Point in time view as at 01/11/2022.*

*Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 2021, Schedule 5. (See end of Document for details)*

#### Commencement Information

**I85** Sch. 5 para. 43 not in force at Royal Assent, see [s. 24\(1\)](#)

**I86** [Sch. 5 para. 43](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

- 44 In section 56 (exclusion of matters from legal proceedings etc), in subsection (3)(d), at the end insert “or the tri-service serious crime unit”.

#### Commencement Information

**I87** Sch. 5 para. 44 not in force at Royal Assent, see [s. 24\(1\)](#)

**I88** [Sch. 5 para. 44](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

- 45 In section 57 (duty not to make unauthorised disclosures), in subsection (3)(c), at the end insert “or the tri-service serious crime unit”.

#### Commencement Information

**I89** Sch. 5 para. 45 not in force at Royal Assent, see [s. 24\(1\)](#)

**I90** [Sch. 5 para. 45](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

- 46 In section 263 (general definitions), in subsection (1), at the appropriate place insert—

““tri-service serious crime unit” means the unit described in section 375(1A) of the Armed Forces Act 2006.”.

#### Commencement Information

**I91** Sch. 5 para. 46 not in force at Royal Assent, see [s. 24\(1\)](#)

**I92** [Sch. 5 para. 46](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

- 47 In Schedule 4 (relevant public authorities and designated senior officers etc.), in the table in Part 1, after the entry relating to the Royal Air Force Police insert—

“Tri-service serious crime unit	60A(7)(a), (b), (c) and (e)	Lieutenant Commander	Entity data	61(7)(a) and (c)	61A(7)(a) and (c)
		Major	Entity data	61(7)(a) and (c)	61A(7)(a) and (c)
		Squadron leader	Entity data	61(7)(a) and (c)	61A(7)(a) and (c)
		Commander	All	61(7)(a) and (c)	61A(7)(a) and (c)
		Lieutenant colonel	All	61(7)(a) and (c)	61A(7)(a) and (c)
		Wing commander	All	61(7)(a) and (c)	61A(7)(a) and (c)”.

*Status: Point in time view as at 01/11/2022.*

*Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 2021, Schedule 5. (See end of Document for details)*

#### Commencement Information

**I93** Sch. 5 para. 47 not in force at Royal Assent, see [s. 24\(1\)](#)

**I94** Sch. 5 para. 47 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

48 In Part 1 of the table in Schedule 6 (issue of warrants under section 106 etc), after the entry relating to the Provost Marshal of the Royal Air Force Police insert—

“The Provost Marshal for serious crime.	A person holding the position of deputy Provost Marshal in the tri-service serious crime unit.	A member of the tri-service serious crime unit.”
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#### Commencement Information

**I95** Sch. 5 para. 48 not in force at Royal Assent, see [s. 24\(1\)](#)

**I96** Sch. 5 para. 48 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

#### Commencement Information

**I85** Sch. 5 para. 43 not in force at Royal Assent, see [s. 24\(1\)](#)

**I86** Sch. 5 para. 43 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

**I87** Sch. 5 para. 44 not in force at Royal Assent, see [s. 24\(1\)](#)

**I88** Sch. 5 para. 44 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

**I89** Sch. 5 para. 45 not in force at Royal Assent, see [s. 24\(1\)](#)

**I90** Sch. 5 para. 45 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

**I91** Sch. 5 para. 46 not in force at Royal Assent, see [s. 24\(1\)](#)

**I92** Sch. 5 para. 46 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

**I93** Sch. 5 para. 47 not in force at Royal Assent, see [s. 24\(1\)](#)

**I94** Sch. 5 para. 47 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

**I95** Sch. 5 para. 48 not in force at Royal Assent, see [s. 24\(1\)](#)

**I96** Sch. 5 para. 48 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

#### *Data Protection Act 2018 (c. 12)*

49 In Schedule 7 to the Data Protection Act 2018 (competent authorities), after paragraph 15 insert—

“15A The Provost Marshal for serious crime.”

#### Commencement Information

**I97** Sch. 5 para. 49 not in force at Royal Assent, see [s. 24\(1\)](#)

**I98** Sch. 5 para. 49 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

#### *Counter-Terrorism and Border Security Act 2019 (c. 3)*

50 In Schedule 3 to the Counter-Terrorism and Border Security Act 2019 (border security), in paragraph 51—

*Status: Point in time view as at 01/11/2022.*

*Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 2021, Schedule 5. (See end of Document for details)*

- (a) in the definition of “police force”, after paragraph (l) insert—
- “and references to a police force are to be read as including the tri-service serious crime unit;”;
- (b) at the appropriate place insert—
- ““tri-service serious crime unit” means the unit described in section 375(1A) of the Armed Forces Act 2006.”

**Commencement Information**

**I99** Sch. 5 para. 50 not in force at Royal Assent, see [s. 24\(1\)](#)

**I100** Sch. 5 para. 50 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

*Crime (Overseas Production Orders) Act 2019 (c. 5)*

- 51 (1) Section 15 of the Crime (Overseas Production Orders) Act 2019 (application of Act to service police) is amended as follows.
- (2) For subsection (3)(c) substitute—
- “(c) references to an equivalent appropriate officer are to be read as follows—
- (i) where the person who applied for the order or, as the case may be, made the application (“the applicant”) was a member of the tri-service serious crime unit, as references to a member of that unit;
- (ii) in any other case, as references to a member of the same service police force as the applicant who is not a member of that unit.”
- (3) In subsection (7), at the appropriate place insert—
- ““tri-service serious crime unit” means the unit described in section 375(1A) of the Armed Forces Act 2006.”

**Commencement Information**

**I101** Sch. 5 para. 51 not in force at Royal Assent, see [s. 24\(1\)](#)

**I102** Sch. 5 para. 51 in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

*Overseas Operations (Service Personnel and Veterans) Act 2021 (c. 23)*

- 52 In section 7 of the Overseas Operations (Service Personnel and Veterans) Act 2021 (general interpretation etc), in subsection (4)—
- (a) in the definition of “investigating authority”, after paragraph (a) insert—
- “(aa) the tri-service serious crime unit;”;
- (b) at the appropriate place insert—
- ““tri-service serious crime unit” means the unit described in section 375(1A) of the Armed Forces Act 2006;”.



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*Status: Point in time view as at 01/11/2022.*

*Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 2021, Schedule 5. (See end of Document for details)*

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**Commencement Information**

**I103** Sch. 5 para. 52 not in force at Royal Assent, see [s. 24\(1\)](#)

**I104** [Sch. 5 para. 52](#) in force at 1.5.2022 for specified purposes by [S.I. 2022/471](#), [reg. 2\(e\)](#)

**Status:**

Point in time view as at 01/11/2022.

**Changes to legislation:**

There are currently no known outstanding effects for the Armed Forces Act 2021, Schedule 5.