
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, made under section 342 of the Armed Forces Act 2006 (“the Act”), make provision for the forfeiture of pay and for deductions from pay of certain members of the armed forces.

Regulation 3 provides that the Defence Council, or an officer authorised by them, may make an order authorising a day's pay of such a person to be forfeited for certain days of absence from duty. Regulation 4 provides that the Defence Council, or an officer authorised by them, may by order authorise deductions from the pay of such a person to satisfy amounts paid by or on behalf of the armed forces to meet an amount the person has been ordered to pay by a court of ordinary criminal jurisdiction.

Regulation 5 provides that the Defence Council, or an officer authorised by them, may in certain circumstances by order authorise a deduction from the pay of such a person, to be used as compensation for any loss of, or damage to public or service property caused by that person's wrongful act or negligence.

Regulation 6 provides that the Defence Council, or an officer authorised by them, may by order authorise a deduction from the pay of such a person to satisfy a payment which he is required to make in respect of certain financial penalties imposed under the Act.

Regulation 7 provides that the Defence Council, or an officer authorised by them, may by order authorise a deduction from the pay of such a person to satisfy a payment which he is required to make under a maintenance order of a court in the United Kingdom or the Sovereign Base Areas. Regulation 8 provides that the Defence Council, or an officer authorised by them, may by order authorise in certain circumstances a deduction from the pay of such a person to satisfy a payment which he is required to make under a maintenance order of a court, tribunal or person outside the United Kingdom or the Sovereign Base Areas. Regulation 9 defines certain expressions for the purposes of regulations 7 and 8.

Regulation 10 provides that the Defence Council, or an officer authorised by them, may by order authorise a deduction from the pay of such a person to meet an obligation he has to make a payment in respect of a child in accordance with a maintenance calculation or maintenance assessment made under the Child Support Act 1991 or the Child Support (Northern Ireland) Order 1991.

Regulation 11 provides that the Defence Council, or an officer authorised by them, may by order authorise a deduction from the pay of such a person to satisfy any amount the person is required pay by virtue of any judgment or order enforceable by a court in the United Kingdom.

Regulations 12 and 13 make transitional provisions.

Changes to legislation:

There are currently no known outstanding effects for the The Armed Forces (Forfeitures and Deductions) Regulations 2009.