



Armed Forces Act 1991

1991 CHAPTER 62

PART II

AMENDMENTS RELATING TO THE ARMED FORCES AND OTHER PERSONS SUBJECT TO PROVISIONS OF THE SERVICES ACTS

Young offenders

4 Reasons to be given where custodial sentence awarded to young offender.

- (1) After section 71AA of each of the 1955 Acts there shall be inserted the following section—

“71AB Reasons to be given where custodial sentence awarded to young offender.

- (1) This section applies where a court—
- (a) makes a custodial order under section 71AA of this Act, or
 - (b) passes a sentence of custody for life under section 71A(1B) of this Act.
- (2) It shall be the duty of the court—
- (a) to state in open court and to record in the proceedings that it is satisfied that the offender qualifies for a custodial sentence under one or more of the paragraphs of subsection (1F) of section 71A of this Act, the paragraph or paragraphs in question, and why it is so satisfied; and
 - (b) to explain to the offender in open court and in ordinary language why it is passing a custodial sentence on him.
- (3) Where a court makes a custodial order and, in accordance with its duty under subsection (2) above, makes the statement required by paragraph (a) of that subsection, the matters stated shall be specified in the order (made

Status: Point in time view as at 01/01/1992. This version of this provision has been superseded.

Changes to legislation: Armed Forces Act 1991, Section 4 is up to date with all changes known to be in force on or before 05 May 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)

under Imprisonment and Detention Rules) pursuant to which the offender is committed into custody.”

(2) After section 43AA of the 1957 Act there shall be inserted the following section—

“43AB Reasons to be given where custodial sentence awarded to young offender.

- (1) This section applies where a court—
 - (a) makes a custodial order under section 43AA of this Act, or
 - (b) passes a sentence of custody for life under section 43A(1B) of this Act.
- (2) It shall be the duty of the court—
 - (a) to state in open court and to record in the proceedings that it is satisfied that the offender qualifies for a custodial sentence under one or more of the paragraphs of subsection (1F) of section 43A of this Act, the paragraph or paragraphs in question, and why it is so satisfied; and
 - (b) to explain to the offender in open court and in ordinary language why it is passing a custodial sentence on him.
- (3) Where a court makes a custodial order and, in accordance with its duty under subsection (2) above, makes the statement required by paragraph (a) of that subsection, the matters stated shall be specified in the committal order.”

Commencement Information

II S. 4 wholly in force at 01.01.1992 see s. 27(2) and S.I. 1991/2719, art. 2

Status:

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