



Armed Forces Act 2006

2006 CHAPTER 52

First Group of Parts Discipline

PART 1

OFFENCES

Property offences

24 Damage to or loss of public or service property

- (1) A person subject to service law commits an offence if—
- (a) he does an act that causes damage to or the loss of any public or service property or any property belonging to another person subject to service law; and
 - (b) either—
 - (i) he intends to cause damage to or the loss of the property, and there is no lawful excuse for his act; or
 - (ii) he is reckless as to whether he causes damage to or the loss of the property.
- (2) A person subject to service law commits an offence if—
- (a) negligently, he does an act that causes damage to or the loss of any public or service property; or
 - (b) he does an act that is likely to cause damage to or the loss of any public or service property and—
 - (i) he is reckless as to whether he causes damage to or the loss of the property; or
 - (ii) he is negligent.
- (3) For the purposes of this section—
- (a) “act” includes an omission and references to the doing of an act are to be read accordingly;
 - (b) references to causing include allowing;

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (c) “loss” includes temporary loss;
 - (d) “property” means property of a tangible nature, and references to public or service property are to be read accordingly.
- (4) A person guilty of an offence under this section is liable to any punishment mentioned in the Table in section 164, but any sentence of imprisonment imposed in respect of the offence must not exceed—
- (a) in the case of an offence under subsection (1), ten years;
 - (b) in the case of an offence under subsection (2), two years.

25 Misapplying or wasting public or service property

- (1) A person subject to service law commits an offence if he misapplies or wastes any public or service property.
- (2) A person guilty of an offence under this section is liable to any punishment mentioned in rows 2 to 12 of the Table in section 164.

26 Sections 24 and 25: “public property” and “service property”

- (1) This section applies for the purposes of sections 24 and 25.
- (2) “Public property” means property belonging to or held for the purposes of—
 - (a) a department of the Government of the United Kingdom;
 - (b) any part of the Scottish Administration;
 - (c) a Northern Ireland department; or
 - (d) the National Assembly for Wales.
- (3) “Service property” means property—
 - (a) belonging to or used for the purposes of any of Her Majesty’s forces;
 - (b) belonging to a Navy, Army and Air Force Institute; or
 - (c) belonging to an association established, or having effect as if established, under section 110 of the Reserve Forces Act 1996 (c. 14) (reserve associations).