

*Status: Point in time view as at 31/10/2009.*

**Changes to legislation:** Armed Forces Act 2006, Cross Heading: Road Traffic Act 1988 (c. 52) is up to date with all changes known to be in force on or before 24 July 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)

## SCHEDULES

### SCHEDULE 16

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *Road Traffic Act 1988 (c. 52)*

- 116 In section 183 of the Road Traffic Act 1988 (application to the Crown), in subsection (6) for the words from “subject to” to “air force law” substitute “ subject to service law (within the meaning of the Armed Forces Act 2006) ”.

#### **Commencement Information**

- 11** Sch. 16 para. 116 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** Sch. 16 para. 116 in force at 31.10.2009 in so far as not already in force by [S.I. 2009/1167](#), [art. 4](#)

- 117 (1) Section 184 of that Act (application of sections 5 to 10 to persons subject to service discipline) is amended as follows.
- (2) In subsection (1)—
- (a) in the words before paragraph (a) for “persons subject to service discipline” substitute “ persons subject to service law and civilians subject to service discipline ”;
- (b) in paragraph (a) for “the corresponding service offence” substitute “ an offence under section 42 of the Armed Forces Act 2006 as respects which the corresponding offence under the law of England and Wales is that offence ”;
- (c) in paragraph (b) for “naval, military or air force authority” substitute “ officer ”;
- (d) in paragraph (e)—
- (i) for “persons subject to service discipline” substitute “ persons subject to service law or civilians subject to service discipline ”;
- (ii) omit “and” at the end of the paragraph;
- (e) in paragraph (f) for “the corresponding service offence” substitute “ an offence under section 42 of the Armed Forces Act 2006 as respects which the corresponding offence under the law of England and Wales is a traffic offence within the meaning of section 6 ”;
- (f) after that paragraph add—
- “(g) in section 6E as it applies by virtue of paragraph (c) above, subsection (2) were omitted and the reference in subsection (1) to any place were to—
- (i) service living accommodation (as defined by section 96 of the Armed Forces Act 2006), or
- (ii) premises occupied as a residence (alone or with other persons) by the person on whom the

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requirement is to be imposed or the person to be arrested.”

(3) In subsection (2), for the words from “a person” to “without warrant” substitute “without warrant a person who is subject to service law or is a civilian subject to service discipline”.

(4) For subsection (3) substitute—

“(3) In this section—

“civilian subject to service discipline” has the same meaning as in the Armed Forces Act 2006;

“corresponding offence under the law of England and Wales”, in relation to an offence under section 42 of that Act, has the meaning given by that section;

“member of the provost staff” means—

- (a) anyone who is, or by reason of section 375(5) of that Act is to be treated as, a service policeman for the purposes of that Act; or
- (b) a person lawfully exercising authority on behalf of a provost officer (within the meaning of that Act);

“subject to service law” has the same meaning as in that Act.”

#### **Commencement Information**

- I3** Sch. 16 para. 117 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](#))
- I4** Sch. 16 para. 117 in force at 31.10.2009 in so far as not already in force by [S.I. 2009/1167](#), [art. 4](#)

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