



# Armed Forces Act 2006

## 2006 CHAPTER 52

### PART 8

#### SENTENCING POWERS AND MANDATORY ETC SENTENCES

### CHAPTER 3

#### SUSPENDED SENTENCE OF SERVICE DETENTION

#### **192 Activation by Court Martial: appeals**

- (1) This section applies where an order under section 191 is made.
- (2) For the purposes of the Court Martial Appeals Act 1968 (c. 20)—
  - (a) the order is to be treated as a sentence passed on the offender by the Court Martial for the offence for which the suspended sentence was passed; and
  - (b) if the offender was not convicted of that offence by the Court Martial, he is to be treated for the purpose of enabling him to appeal against the order as if he had been so convicted.
- (3) For the purposes of any appeal against the order references in section 16A of that Act to passing a sentence include making an order.
- (4) On an appeal against the order the Court Martial Appeal Court may (as an alternative to exercising its powers under section 16A(2) of that Act) quash the order.

#### **Commencement Information**

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| <b>I1</b> | S. 192 in force at 28.3.2009 for specified purposes by <a href="#">S.I. 2009/812</a> , <b>art. 3(a)(b)</b> (with transitional provisions in <a href="#">S.I. 2009/1059</a> ) |
| <b>I2</b> | S. 192 in force at 31.10.2009 in so far as not already in force by <a href="#">S.I. 2009/1167</a> , <b>art. 4</b>  |

**Status:**

Point in time view as at 31/10/2009.

**Changes to legislation:**

Armed Forces Act 2006, Section 192 is up to date with all changes known to be in force on or before 25 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.