



Armed Forces Act 2006

2006 CHAPTER 52

PART 9

SENTENCING: PRINCIPLES AND PROCEDURES

CHAPTER 1

PRINCIPLES AND PROCEDURES APPLYING TO SERVICE COURTS AND SUMMARY HEARINGS

Service detention and custodial sentences

245 Section 244: supplementary

- (1) Subsections (2) to (5) apply for the purposes of section 244.
- (2) A person is to be regarded as not subject to any sentence from which he has been released early.
- (3) A person is to be regarded as not subject to a suspended sentence of service detention unless an order that the sentence shall take effect has been made.
- (4) Subject to subsection (3), a person is to be regarded as subject to any sentence of service detention that has been passed on him but—
 - (a) has not taken effect; or
 - (b) as a result of section 290(5) or (6) or 291(6) or (7), has ceased to have effect and has not resumed effect.
- (5) A person who has been detained continuously pursuant to two or more sentences of service detention is to be regarded as subject to all of those sentences (whether or not any of them has been served in full).
- (6) For the purposes of subsection (5), any periods of detention which would be continuous but for section 290(3), (5) or (6) or 291(5), (6) or (7) are to be treated as continuous.

Status: Point in time view as at 28/03/2009. This version of this provision has been superseded.

Changes to legislation: Armed Forces Act 2006, Section 245 is up to date with all changes known to be in force on or before 30 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)

Commencement Information

- II** [S. 245](#) 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](#))

Status:

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