



Armed Forces Act 2006

2006 CHAPTER 52

PART 13

DISCIPLINE: MISCELLANEOUS AND SUPPLEMENTARY

CHAPTER 3

ARREST AND DETENTION BY CIVIL AUTHORITIES

Arrest etc for desertion or absence without leave

315 Deserters and absentees without leave surrendering to civilian police

- (1) Where—
 - (a) a person surrenders to a civilian policeman as being a person subject to service law who has deserted or is absent without leave, and
 - (b) the surrender occurs at a place in a relevant territory which is not a police station,he must be taken to a police station.
- (2) Subsection (3) applies where a person—
 - (a) is brought to a police station under subsection (1), or
 - (b) surrenders to a civilian policeman, at a police station in a relevant territory, as being a person subject to service law who has deserted or is absent without leave.
- (3) The person in charge of the police station, or a person authorised by him, must consider the case.
- (4) If it appears to the person considering the case that the person who has surrendered is a person subject to service law who has deserted or is absent without leave, he may—
 - (a) arrange for him to be transferred to service custody;

Status: Point in time view as at 12/05/2016.

Changes to legislation: Armed Forces Act 2006, Section 315 is up to date with all changes known to be in force on or before 26 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)

- (b) arrange for him to be brought, as soon as practicable, before a court of summary jurisdiction in the relevant territory in which the police station is situated; or
- (c) release him subject to a condition that he reports, at or by such time as may be specified in the condition, to such place or person as may be so specified for the purpose of enabling him to be taken into service custody.

^{F1}(5)

- (6) In this section [^{F2}“civilian policeman” and “relevant territory” have] the same meaning as in section 314.

Textual Amendments

- F1** S. 315(5) omitted (12.5.2016) by virtue of [Armed Forces Act 2016 \(c. 21\)](#), s. 19(2)(b), **Sch. para. 8(2)**
- F2** Words in s. 315(6) substituted (12.5.2016) by [Armed Forces Act 2016 \(c. 21\)](#), s. 19(2)(b), **Sch. para. 8(3)**

Modifications etc. (not altering text)

- C1** Ss. 314-317 applied (with modifications) by 1952 c. 67, s. 13 (as amended (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), **Sch. 16 para. 18(2)(a)** (with s. 385); S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, art. 4)
- C2** S. 315 extended by S.I. 1999/1736, Sch. 8 para. 6(2) (as amended (31.10.2009) by [The Armed Forces Act 2006 \(Consequential Amendments\) Order 2009 \(S.I. 2009/2054\)](#), art. 1(2), **Sch. 1 para. 21(6)(e)**)

Commencement Information

- I1** S. 315 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)
- I2** S. 315 in force at 31.10.2009 in so far as not already in force by S.I. 2009/1167, **art. 4**

Status:

Point in time view as at 12/05/2016.

Changes to legislation:

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