

*These notes refer to the Armed Forces Act 2011 (c.18)
which received Royal Assent on 3 November 2011*

ARMED FORCES ACT 2011

EXPLANATORY NOTES

SUMMARY AND BACKGROUND

3. For constitutional reasons an Armed Forces Act is required every five years. The primary purpose of Armed Forces Acts is accordingly to provide for the continuation for a further period of up to five years of the provisions enabling the armed forces to be recruited and maintained as disciplined bodies. The Armed Forces Act 2006 introduced a single system of law that applies to all service personnel. It applies wherever in the world they are operating. In the Act and in these Notes the Armed Forces Act 2006 is referred to as “AFA 2006”. AFA 2006 includes a comprehensive system of discipline, covering such matters as offences, the powers of the service police, and the jurisdiction and powers of commanding officers and of service courts, in particular the Court Martial.
4. This Act is much smaller in scale. It contains a number of items relating to the armed forces’ disciplinary system. In common with previous five-yearly Acts, it contains some proposals that fall outside the traditional area of service discipline. Paragraphs 5 to 12 of the Notes summarise both the Act’s structure and the individual provisions.