



# Armed Forces Act 2016

## 2016 CHAPTER 21

### *Offenders assisting investigations and prosecutions*

PROSPECTIVE

#### **7 Immunity from prosecution**

In AFA 2006, after Part 12 insert—

#### **“PART 12A**

#### **OFFENDERS ASSISTING INVESTIGATIONS AND PROSECUTIONS**

#### **304A Immunity from prosecution**

- (1) If the Director of Service Prosecutions (“the Director”) thinks that, for the purposes of the investigation or prosecution of a relevant service offence, it is appropriate to offer a person immunity from prosecution for a service offence, the Director may give the person a written notice under this subsection (an “immunity notice”).
- (2) “Relevant service offence” means—
  - (a) an offence under section 42 as respects which the corresponding offence under the law of England and Wales is an indictable offence under that law; or
  - (b) any other service offence which, if committed by a person aged 18 or over and tried by the Court Martial, is punishable with imprisonment for more than 2 years.
- (3) If a person is given an immunity notice, the person may not be tried for a service offence of a description specified in the notice except in circumstances specified in the notice.

**Status:** This version of this provision is prospective.

**Changes to legislation:** There are currently no known outstanding effects  
for the Armed Forces Act 2016, Section 7. (See end of Document for details)

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- (4) An immunity notice ceases to have effect in relation to the person to whom it is given if the person fails to comply with any conditions specified in the notice.”

**Status:**

This version of this provision is prospective.

**Changes to legislation:**

There are currently no known outstanding effects for the Armed Forces Act 2016, Section 7.