
STATUTORY INSTRUMENTS

2009 No. 1059

The Armed Forces Act 2006
(Transitional Provisions etc) Order 2009

PART 5

TIME LIMITS FOR COMMENCING PROCEEDINGS ETC

Time limit for charging civilian formerly subject to service discipline with SDA offence

20.—(1) In section 58(2)(a) of AFA 2006 (time limit where person ceases to be a civilian subject to service discipline without becoming subject to service law), the reference to a service offence committed while the person was a civilian subject to service discipline includes an SDA offence (other than one under RFA 1996) committed while he was a civilian subject to the SDAs.

(2) Where section 58(3) of AFA 2006 (time limit where person ceases to be civilian subject to service discipline on becoming subject to service law) applies, section 57 of that Act has effect as if (in addition to the modifications made by section 58(3)) the reference in section 57(2) to a service offence committed while the person was subject to service law included an SDA offence (other than one under RFA 1996) committed while he was a civilian subject to the SDAs.

(3) Where at commencement a person falls within paragraph (a), (b) or (c) of article 19(6), the person is to be treated for the purposes of section 58 of AFA 2006 as being a civilian subject to service discipline for so long as the person continues to fall within that paragraph.