

*These notes refer to the Armed Forces Act 2006 (c.52)
which received Royal Assent on 8 November 2006*

ARMED FORCES ACT 2006

EXPLANATORY NOTES

COMMENTARY

First Group of Parts – Discipline

Part 8 – Sentencing Powers and Mandatory Etc Sentences

Chapter 3 – Suspended Sentence of Service Detention

Section 193: Activation by CO of suspended sentence of service detention

401. This section enables a CO to activate a suspended sentence of service detention passed at a summary hearing or by the SAC (but not by the Court Martial), where he finds the offender to have committed a further service offence during the operational period or the offender has been convicted of a civilian offence committed during that period.
402. Where a CO activates a suspended sentence, under subsection (3) he can order that the offender must serve the entire period of the original sentence or some shorter term. Under subsection (4) he can also make the sentence consecutive to another sentence of service detention passed on the same or a previous occasion. But these powers are subject to the restrictions in sections 194 and 244, and subsection (5) provides that any provision in an order included by virtue of subsection (4) has effect subject to section 292.