
Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 2011, Cross
Heading: Consultation of DSP before decision by service police on referral of case. (See end of Document for details)

SCHEDULES

SCHEDULE 3

MINOR AMENDMENTS OF SERVICE LEGISLATION

Consultation of DSP before decision by service police on referral of case

- 5 (1) In section 116 of AFA 2006 (referral of case following investigation by service or civilian police), for subsection (4) substitute—

“(4) Subsection (4A) applies if—

- (a) the allegation or circumstances would indicate to a reasonable person that a Schedule 2 offence has or might have been committed, or
- (b) any circumstances investigated are circumstances of a description prescribed by regulations under section 128 for the purposes of section 114,

and a service policeman proposes not to refer the case to the Director under subsection (2).

(4A) If this subsection applies, the service policeman must consult the Director as soon as is reasonably practicable (and before any referral of the case under subsection (3)).”

^{F1}(2)

Textual Amendments

- F1** Sch. 3 para. 5(2) omitted (22.5.2019 for specified purposes, 1.7.2019 in so far as not already in force) by virtue of [Armed Forces Act 2016 \(c. 21\)](#), **ss. 3(9)**, 19(1); S.I. 2019/961, [reg. 2\(1\)\(a\)\(b\)](#) (with [reg. 3](#))

Commencement Information

- I1** Sch. 3 para. 5 in force at 2.4.2012 by [S.I. 2012/669](#), **art. 4(d)**

Changes to legislation:

There are currently no known outstanding effects for the Armed Forces Act 2011, Cross
Heading: Consultation of DSP before decision by service police on referral of case.