
STATUTORY INSTRUMENTS

2009 No. 1059

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

PART 17

SERVICE AND EFFECT OF SENTENCES IN RESPECT OF SDA OFFENCES

CHAPTER 2

Custodial sentences and detention

Committal orders under NDA 1957: custodial sentences

136.—(1) This article applies where—

- (a) a person has been sentenced under NDA 1957 to an SDA custodial sentence; and
- (b) at commencement, no committal order has been issued under section 81(3) of that Act in respect of the sentence.

(2) Subject to paragraph (3), the sentence shall be sufficient warrant for sending the person to such place as the Commandant of the Military Corrective Training Centre may direct, and detaining him in service custody until he reaches that place; and, accordingly, no committal order shall be required.

(3) Where the sentence has been suspended under section 90 of NDA 1957, and no order has been made under section 91(1) of that Act in respect of it—

- (a) paragraph (2) does not apply unless an order is made under article 94 in respect of the sentence; but
- (b) any such order shall have the effect mentioned in paragraph (2).