
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 4

Second class for conduct

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159.—(1) This article applies to a punishment of Reduction to the Second Class for Conduct, awarded by virtue of regulation 43 of the Naval Summary Discipline Regulations (February) 2009⁽¹⁾, all or any of which falls to be served after commencement.

(2) Regulation 55 of those Regulations shall continue in force for the purposes of any such punishment, but with the following amendments.

(3) For paragraphs (c) and (d) substitute—

“(c) perform extra duties (that is, work, training or any other duty performed by the rating at times when he would not otherwise be required to perform any duty)—

(i) during the first 14 days of the punishment, for a period not exceeding 5½ hours each day;

(ii) during the remainder of the punishment, for a period not exceeding 1 hour each day.”

(4) In relation to a punishment of Reduction to the Second Class for Conduct to which this article applies, the offender’s commanding officer—

(a) must decide in respect of each day of the punishment—

(i) what extra duties the rating must perform;

(ii) the period (not exceeding the permitted maximum) for which extra duties are to be performed; and

(iii) the time or times for performing the extra duties; and

(b) must inform the rating accordingly.

(5) The commanding officer may delegate any functions under paragraph (4) to a person of or above the rate of chief petty officer.

⁽¹⁾ These Regulations are made by the Defence Council under sections 43, 52E and 52F of NDA 1957 and published in the Manual of Naval Law.