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STATUTORY INSTRUMENTS

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**2009 No. 1212**

**The Armed Forces (Financial Penalty Enforcement Orders) Regulations 2009**

**Transitional provisions**

5.—(1) Subject to regulation 6, this regulation applies where, before the date on which these Regulations come into force, a financial penalty has been awarded against a person under the Army Act 1955, the Air Force Act 1955 or the Naval Discipline Act 1957.

(2) The Defence Council or an officer authorised by them may make an order for the registration of the penalty by a relevant court as if section 133A of the Army Act 1955, section 133A of the Air Force Act 1955 or section 128F of the Naval Discipline Act 1957 (as appropriate to the Act under which the financial penalty was imposed) continued in force in relation to the penalty, except that—

- (a) any reference in the section to “service enforcement procedures” shall be treated as a reference to any procedure provided for in or under section 341 or 342 of the Act; and
- (b) any reference in the section to a person to whom the section applies shall be treated as a reference to a person within regulation 3(2).

(3) An order referred to in paragraph (2) shall take effect as if the section mentioned in that paragraph, appropriate to the Act under which the final penalty was imposed, continued in force.

(4) In this regulation “financial penalty” has the same meaning as in section 133A of the Army Act 1955, section 133A of the Air Force Act 1955 or section 128F of the Naval Discipline Act 1957 (as appropriate to the Act under which it was awarded).