

SCHEDULE

THE CONSTITUTION OF ST HELENA, ASCENSION AND TRISTAN DA CUNHA

CHAPTER 2

ASCENSION

PART 2

FUNDAMENTAL RIGHTS AND FREEDOMS OF THE INDIVIDUAL

Application of this Part to the members of a disciplined force

141.—(1) A member of—

- (a) any police force of Ascension;
- (b) any prison service of Ascension;
- (c) any fire service of Ascension; and
- (d) any naval, military or air force raised in Ascension under the law of Ascension,

who is charged with having committed an offence against the law of Ascension, other than a disciplinary offence, is entitled to the full protection of this Part.

(2) A member of a force referred to in subsection (1) who is charged with having committed a disciplinary offence is entitled to the protection of sections 123, 124 and 125.

(3) If a member of a force referred to in subsection (1) has been convicted of an offence against the law of Ascension other than a disciplinary offence, and is also convicted of a disciplinary offence arising out of the same conduct, the punishment for the first-mentioned offence must be taken into account in determining the punishment for the disciplinary offence.

(4) A member of a visiting force who is charged with having committed an offence against the law of Ascension is entitled to the full protection of this Part.

(5) A member of a visiting force who is charged in Ascension with having committed a disciplinary offence, including an offence against any criminal law of the sending State which, by virtue of a provision of the disciplinary law of that force, applies to that member while in Ascension, is entitled to the protection of sections 123, 124 and 125.

(6) In this section, “sending State”, in relation to a member of a visiting force, means the country, other than Ascension, in or under the law of which that force was raised.