
STATUTORY INSTRUMENTS

2012 No. 2824

**The Legal Aid, Sentencing and Punishment of Offenders Act
2012 (Consequential and Saving Provisions) Regulations 2012**

Amendments of the Armed Forces Act 2006 (Transitional Provisions etc) Order 2009

5.—(1) Schedule 2 to the Armed Forces Act 2006 (Transitional Provisions etc) Order 2009(1) (transitory provisions) is amended as follows.

(2) After paragraph 9 (power to impose detention in a young offender institution) insert—

“Life and extended sentences: offenders aged at least 18 but under 21

9A.—(1) This paragraph applies in relation to an offender aged at least 18 but under 21 on conviction, until the coming into force of section 61 of CJCSA 2000.

(2) Section 218A of AFA 2006 (life sentence for second listed offence) has effect as if the reference in subsection (4) to imprisonment were to detention in a young offender institution.

(3) Section 219A of AFA 2006 (extended sentence for certain violent or sexual offenders aged 18 or over) has effect as if—

- (a) the reference in subsection (1)(d) to imprisonment for life were to custody for life; and
- (b) the reference in subsection (3) to an extended sentence of imprisonment were to an extended sentence of detention in a young offender institution.”

(3) Omit paragraph 13 (crediting of time in service custody).

(4) In paragraph 16 (meaning of “custodial sentence”), after sub-paragraph (c) insert—

“(ca) an extended sentence of detention in a young offender institution passed under section 226A of CJA 2003 as a result of section 219A of AFA 2006;”.