

Armed Forces Bill

AMENDMENTS TO BE MOVED IN GRAND COMMITTEE

Schedule 1

BARONESS GOLDIE

Page 40, line 9, at end insert –

“(3A) After subsection (2) insert –

“(2A) In the case of proceedings where the number of lay members would (but for this subsection) be three, a judge advocate may, in accordance with Court Martial rules, direct that the number of lay members is to be four.””

Member’s explanatory statement

This amendment would allow a judge advocate to direct that a Court Martial should comprise four rather than three lay members. Court Martial rules will set out the circumstances in which such a direction may be made.

Page 40, line 15, leave out from “members” to end of line 16 and insert –

“(a) from six to five, or

(b) where a direction has been made under subsection (2A), from four to three,

if a judge advocate gives a direction to that effect.””

Member’s explanatory statement

This amendment would allow a judge advocate to direct that a Court Martial comprising four lay members will remain validly constituted if the number of lay members is reduced to three. Court Martial rules will set out the circumstances in which such a direction may be made.

Page 41, line 26, at end insert –

“(aa) where there are four lay members, must be a finding with which no fewer than three of them agree;”

Member’s explanatory statement

This amendment would provide that where a Court Martial comprises four lay members, the finding of the Court Martial on a charge must be a finding with which no fewer than three of them agree.

Clause 9

BARONESS GOLDIE

Page 19, line 6, leave out paragraph (a) and insert –

“(a) omit “(a “full-time service commitment”);”

Member’s explanatory statement

This is one of several amendments in the name of Baroness Goldie which would clarify the effect of provision made by Clause 9 about commitments under section 24 of the Reserve Forces Act 1996.

Page 19, line 18, leave out “continuous service commitment” and insert “commitment under this section”

Member’s explanatory statement

This is one of several amendments in the name of Baroness Goldie which would clarify the effect of provision made by Clause 9 about commitments under section 24 of the Reserve Forces Act 1996.

Page 19, line 25, leave out from “for” to end of line 26 and insert ““full-time service commitment” substitute “commitment under this section”;

Member’s explanatory statement

This is one of several amendments in the name of Baroness Goldie which would clarify the effect of provision made by Clause 9 about commitments under section 24 of the Reserve Forces Act 1996.

Page 19, line 34, leave out “continuous service commitment” and insert “commitment under this section”

Member’s explanatory statement

This is one of several amendments in the name of Baroness Goldie which would clarify the effect of provision made by Clause 9 about commitments under section 24 of the Reserve Forces Act 1996.

Page 19, line 37, leave out from “for” to end of line 38 and insert ““full-time service commitment” substitute “commitment under this section”;

Member’s explanatory statement

This is one of several amendments in the name of Baroness Goldie which would clarify the effect of provision made by Clause 9 about commitments under section 24 of the Reserve Forces Act 1996.

Page 20, line 1, leave out “continuous service commitment” and insert “commitment under this section”

Member's explanatory statement

This is one of several amendments in the name of Baroness Goldie which would clarify the effect of provision made by Clause 9 about commitments under section 24 of the Reserve Forces Act 1996.

Page 20, line 5, leave out “continuous service commitment” and insert “commitment under this section”

Member's explanatory statement

This is one of several amendments in the name of Baroness Goldie which would clarify the effect of provision made by Clause 9 about commitments under section 24 of the Reserve Forces Act 1996.

Page 20, line 13, leave out “continuous service commitment” and insert “commitment under this section”

Member's explanatory statement

This is one of several amendments in the name of Baroness Goldie which would clarify the effect of provision in Clause 9 about commitments under section 24 of the Reserve Forces Act 1996.

Page 20, line 15, leave out “continuous service commitment” and insert “commitment under this section”

Member's explanatory statement

This is one of several amendments in the name of Baroness Goldie which would clarify the effect of provision in Clause 9 about commitments under section 24 of the Reserve Forces Act 1996.

Schedule 2**BARONESS GOLDIE**

Page 42, line 9, leave out “continuous service” and insert “section 24”

Member's explanatory statement

This is one of several amendments in the name of Baroness Goldie which would clarify the effect of provision in Clause 9 about commitments under section 24 of the Reserve Forces Act 1996.

Page 42, line 11, leave out “continuous service” and insert “section 24”

Member's explanatory statement

This is one of several amendments in the name of Baroness Goldie which would clarify the effect of provision in Clause 9 about commitments under section 24 of the Reserve Forces Act 1996.

Page 42, line 13, leave out “continuous service” and insert “section 24”

Member's explanatory statement

This is one of several amendments in the name of Baroness Goldie which would clarify the effect of provision in Clause 9 about commitments under section 24 of the Reserve Forces Act 1996.

Page 42, line 15, leave out sub-paragraph (2) and insert –

“(2) For subsection (1)(a) substitute –
“(a) in service under section 24 commitments; or”. ”

Member's explanatory statement

This is one of several amendments in the name of Baroness Goldie which would clarify the effect of provision made by Clause 9 about commitments under section 24 of the Reserve Forces Act 1996.

Page 42, line 17, leave out “continuous service” and insert “section 24”

Member's explanatory statement

This is one of several amendments in the name of Baroness Goldie which would clarify the effect of provision made by Clause 9 about commitments under section 24 of the Reserve Forces Act 1996.

Page 42, line 19, leave out “continuous service” and insert “section 24”

Member's explanatory statement

This is one of several amendments in the name of Baroness Goldie which would clarify the effect of provision made by Clause 9 about commitments under section 24 of the Reserve Forces Act 1996.

Page 42, line 23, leave out from “for” to end of line 24 and insert ““full-time service” substitute “section 24”;

Member's explanatory statement

This is one of several amendments in the name of Baroness Goldie which would clarify the effect of provision made by Clause 9 about commitments under section 24 of the Reserve Forces Act 1996.

Page 42, line 25, leave out from “for” to “and” in line 26 and insert ““full-time service”, in the first place it occurs,” substitute “section 24”;

Member's explanatory statement

This is one of several amendments in the name of Baroness Goldie which would clarify the effect of provision made by Clause 9 about commitments under section 24 of the Reserve Forces Act 1996.

Page 42, line 30, leave out “continuous service” and insert “section 24”

Member's explanatory statement

This is one of several amendments in the name of Baroness Goldie which would clarify the effect of provision made by Clause 9 about commitments under section 24 of the Reserve Forces Act 1996.

Page 42, line 33, leave out from “for” to end of line 34 and insert ““full-time service commitment” substitute “commitment under that section””

Member’s explanatory statement

This is one of several amendments in the name of Baroness Goldie which would clarify the effect of provision made by Clause 9 about commitments under section 24 of the Reserve Forces Act 1996.

Page 43, line 3, leave out “continuous service commitment” and insert “commitment entered into under section 24 of the Reserve Forces Act 1996”

Member’s explanatory statement

This is one of several amendments in the name of Baroness Goldie which would clarify the effect of provision made by Clause 9 about commitments under section 24 of the Reserve Forces Act 1996.

Page 43, line 4, leave out paragraph (b) and insert –
“(b) omit subsection (3)(d).”

Member’s explanatory statement

This is one of several amendments in the name of Baroness Goldie which would clarify the effect of provision made by Clause 9 about commitments under section 24 of the Reserve Forces Act 1996.

Page 43, line 11, leave out paragraph (b)

Member’s explanatory statement

This is one of several amendments in the name of Baroness Goldie which would clarify the effect of provision made by Clause 9 about commitments under section 24 of the Reserve Forces Act 1996.

Clause 11

BARONESS GOLDIE

Page 22, line 33, leave out “and service police forces,” and insert “, service police forces and the tri-service serious crime unit,”

Member’s explanatory statement

This amendment would make consequential provision in connection with the new Clause proposed by Baroness Goldie to be inserted after Clause 11.

Page 23, line 26, leave out “and service police forces,” and insert “, service police forces and the tri-service serious crime unit,”

Member’s explanatory statement

This amendment would make consequential provision in connection with the new Clause proposed by Baroness Goldie to be inserted after Clause 11.

Page 23, line 37, leave out “service police force,” and insert “relevant body,”

Member's explanatory statement

This amendment would make consequential provision in connection with the new Clause proposed by Baroness Goldie to be inserted after Clause 11.

Page 23, line 39, at end insert –

- “(2) In subsection (1) “relevant body” means a service police force or the tri-service serious crime unit.”

Member's explanatory statement

This amendment would make consequential provision in connection with the new Clause proposed by Baroness Goldie to be inserted after Clause 11.

After Clause 11

BARONESS GOLDIE

Insert the following new Clause –

“Framework for establishment of tri-service serious crime unit

- (1) The Armed Forces Act 2006 is amended as follows.
- (2) In section 365A (Provost Marshals: appointment), in subsection (1), after “force” insert “, or to be Provost Marshal for serious crime,”.
- (3) In section 115A (Provost Marshal’s duty in relation to independence of investigations) –
 - (a) in subsection (1), for “This section” substitute “Subsection (2)”;
 - (b) after subsection (2) insert –

“(2A) The Provost Marshal for serious crime has a duty, owed to the Defence Council, to seek to ensure that all investigations carried out by the tri-service serious crime unit are free from improper interference.”;
 - (c) in subsection (3), at the end insert “or (as the case may be) the unit.”
- (4) In section 375 (definitions relating to police forces) –
 - (a) in the heading, after “to” insert “the service police and other”;
 - (b) after subsection (1) insert –

“(1A) In this Act the “tri-service serious crime unit” means a unit under the direction of the Provost Marshal for serious crime, each member of which is a member of a service police force.”
- (5) Schedule (*Tri-service serious crime unit*) makes further provision about the tri-service serious crime unit and the Provost Marshal for serious crime.
- (6) The Secretary of State may by regulations made by statutory instrument make such provision amending or revoking any provision of subordinate legislation made before the passing of this Act as appears to the Secretary of State to be appropriate in consequence of any provision of this section or Schedule (*Tri-service serious crime unit*).
- (7) Regulations under subsection (6) may include transitional provisions or savings.
- (8) A statutory instrument containing regulations under subsection (6) is subject to annulment in pursuance of a resolution of either House of Parliament.
- (9) In subsection (6) “subordinate legislation” means –

After Clause 11 - continued

- (a) subordinate legislation within the meaning of the Interpretation Act 1978;
- (b) an instrument made under an Act of the Scottish Parliament, or
- (c) an instrument made under Northern Ireland legislation.”

Member’s explanatory statement

This amendment and the amendment in the name of Baroness Goldie to insert a new Schedule after Schedule 4 would make provision in connection with the establishment of a tri-service serious crime unit and with regard to the functions of the Provost Marshal for serious crime who is to be the head of that unit.

After Schedule 4**BARONESS GOLDIE**

Insert the following new Schedule—

“TRI-SERVICE SERIOUS CRIME UNIT

Police and Criminal Evidence Act 1984 (c. 60)

- 1 (1) Section 63A of the Police and Criminal Evidence Act 1984 (fingerprints and samples: supplementary provision) is amended as follows.
- (2) In subsection (1A)—
 - (a) after paragraph (b) insert—

“(ba) the tri-service serious crime unit;”;
 - (b) in paragraph (d), for “(c)” substitute “(ba)”.
- (3) After subsection (1B) insert—

“(1BA) In subsection (1A) “tri-service serious crime unit” means the unit described in section 375(1A) of the Armed Forces Act 2006.”

Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12))

- 2 (1) Article 63A of the Police and Criminal Evidence (Northern Ireland) Order 1989 (fingerprints and samples: supplementary provision) is amended as follows.
- (2) In paragraph (1A)—
 - (a) after sub-paragraph (b) insert—

“(ba) the tri-service serious crime unit;”;
 - (b) in sub-paragraph (c), for “or (b)” substitute “to (ba)”.
- (3) After paragraph (1B) insert—

“(1BA) In paragraph (1A) “tri-service serious crime unit” means the unit described in section 375(1A) of the Armed Forces Act 2006.”

Criminal Appeal Act 1995 (c. 35)

- 3 The Criminal Appeal Act 1995 is amended as follows.
- 4 (1) Section 19 (power to require appointment of investigating officers) is amended as follows.
- (2) After subsection (2) insert—

After Schedule 4 - continued

- “(2A) Where the Commission has power to impose a requirement under paragraph (a) of subsection (2) and the public body referred to in that paragraph is mentioned in section 22(4A), that power includes power to impose the requirement on the Provost Marshal for serious crime (instead of the person who is the appropriate person in relation to the public body).”
- (3) In subsection (4)(b), for the words from “either” to the end substitute “in a body selected by the chief officer which is –
- (i) another police force,
 - “(ii) a service police force, or
 - “(iii) the tri-service serious crime unit.”
- (4) In subsection (4A) –
- (a) in the words before paragraph (a), for “a Provost Marshal” substitute “the Provost Marshal of a service police force”;
 - (b) in paragraph (a), for the words from “the” to “Marshal” substitute “that service police force”;
 - (c) for paragraph (b) substitute –
 - “(b) a requirement to appoint a person serving in a body selected by the Provost Marshal which is –
 - (i) a police force,
 - (ii) another service police force, or
 - (iii) the tri-service serious crime unit.”
- (5) After subsection (4A) insert –
- “(4B) A requirement under this section imposed on the Provost Marshal for serious crime may be–
- (a) a requirement to appoint a person serving in the tri- service serious crime unit, or
 - “(b) a requirement to appoint a person serving either in a police force selected by the Provost Marshal or in a service police force selected by the Provost Marshal.”
- (6) In subsection (5), for paragraph (b) substitute –
- “(b) a requirement to appoint a person serving in a body selected by the appropriate person which is –
 - (i) a police force, a service police force or the tri- service serious crime unit, or
 - (ii) a public body (not falling within sub-paragraph (i)) having functions which consist of or include the investigation of offences.”
- (7) In subsection (6) –
- (a) in paragraph (b), for the words from “a police” to “body” substitute “a body mentioned in subsection (4)(b), (4A)(b), (4B)(b) or (5)(b)”;
 - (b) in the words after paragraph (b), after “(4A)” insert “, (4B)”.
- (8) In subsection (7) –
- (a) in the words before paragraph (a), after “body” insert “or by the Provost Marshal for serious crime”;

After Schedule 4 - continued

- (b) in paragraph (a), after “body” insert “or (as the case requires) the Provost Marshal for serious crime”.
- (9) After subsection (7) insert –
 - “(8) In this section “tri-service serious crime unit” means the unit described in section 375(1A) of the Armed Forces Act 2006.”
- 5 In section 20 (inquiries by investigating officers), after subsection (2) insert –
 - “(2A) In the application of subsection (2) in relation to an investigating officer who is serving in a public body mentioned in section 22(4A), the reference in subsection (2) to the person who is the appropriate person in relation to that public body is to be read as including (so far as necessary) a reference to the Provost Marshal for serious crime.”

Police Act 1997 (c. 50)

- 6 The Police Act 1997 is amended as follows.
- 7 (1) Section 93 (authorisation to interfere with property etc) is amended as follows.
 - (2) In subsection (3), after paragraph (aa) insert –
 - “(aaa) if the authorising officer is within subsection (5)(eda), by a member of the tri-service serious crime unit;”.
 - (3) In subsection (5), after paragraph (ed) insert –
 - “(eda) the Provost Marshal for serious crime;”.
 - (4) In subsection (6A), in the words before paragraph (a), for “or (ed)” substitute “, (ed) or (eda)”.
- 8 In section 94 (authorisations given in absence of authorising officer), in subsection (2), after paragraph (dc) insert –
 - “(dca) where the authorising officer is within paragraph (eda) of that subsection, by a person holding the position of deputy Provost Marshal in the tri-service serious crime unit;”.
- 9 In section 108 (interpretation of Part 3), in subsection (1), at the appropriate place insert –
 - ““tri-service serious crime unit” means the unit described in section 375(1A) of the Armed Forces Act 2006;”.
- 10 In section 113B (enhanced criminal record certificates), in subsection (11), after paragraph (b) insert –
 - “(ba) the tri-service serious crime unit (and for this purpose a reference to the chief officer of a police force must be taken to be a reference to the Provost Marshal for serious crime);”.
- 11 In section 126 (interpretation of Part 5), in subsection (1), at the appropriate place insert –
 - ““tri-service serious crime unit” means the unit described in section 375(1A) of the Armed Forces Act 2006.”

Terrorism Act 2000 (c. 11)

In Schedule 8 to the Terrorism Act 2000 (detention), in paragraph 20J, in the definition of “police force”, after paragraph (l) insert –

After Schedule 4 - continued

“and references to a police force are to be read as including the tri-service serious crime unit (as described in section 375(1A) of the Armed Forces Act 2006);”.

Regulation of Investigatory Powers Act 2000 (c. 23)

- 13 The Regulation of Investigatory Powers Act 2000 is amended as follows.
- 14 In section 32 (authorisation of intrusive surveillance), in subsection (6), after paragraph (i) insert –
 - “(ia) the Provost Marshal for serious crime;”.
- 15 (1) Section 33 (rules for grant of authorisations) is amended as follows.
 - (2) After subsection (1) insert –
 - “(1ZZA) A person who is a designated person for the purposes of section 28, 29 or 29B by reference to the person’s office, rank or position with the tri-service serious crime unit must not grant an authorisation under that section except on an application made by a member of that unit.”
 - (3) After subsection (3) insert –
 - “(3ZZA) The Provost Marshal for serious crime must not grant an authorisation for the carrying out of intrusive surveillance except –
 - (a) on an application made by a member of the tri-service serious crime unit; and
 - (b) in the case of an authorisation for the carrying out of intrusive surveillance in relation to any residential premises, where those premises are in the area of operation of a police force mentioned in subsection (6)(d).”
- 16 (1) Section 34 (grant of authorisations in the senior officer’s absence) is amended as follows.
 - (2) In subsection (1)(a), for “force,” substitute “force (other than a member of the tri-service serious crime unit), a member of the tri-service serious crime unit,”.
 - (3) In subsection (2)(a), after “as the case may be, as” insert “Provost Marshal for serious crime or”.
 - (4) In subsection (4), after paragraph (h) insert –
 - “(ha) a person is entitled to act for the Provost Marshal for serious crime if the person holds the position of deputy Provost Marshal in the tri-service serious crime unit;”.
- 17 (1) Section 35 (notification of authorisations for intrusive surveillance) is amended as follows.
 - (2) In subsection (1), after “police,” insert “tri-service serious crime unit,”.
 - (3) In subsection (10) –
 - (a) in the words before paragraph (a), after “police,” insert “tri- service serious crime unit;”;
 - (b) after paragraph (a) insert –
 - “(aa) the Provost Marshal for serious crime;”;
 - (c) in paragraph (c), after “(a)” insert “or for a person falling within paragraph (aa)”.

After Schedule 4 - continued

- 18 (1) Section 36 (approval required for authorisations to take effect) is amended as follows.
- (2) In subsection (1), after paragraph (a) insert—
“(aa) a member of the tri-service serious crime unit;”.
- (3) In subsection (6)—
(a) after paragraph (a) insert—
“(aa) where the authorisation was granted by the Provost Marshal for serious crime or a person entitled to act for the Provost Marshal for serious crime by virtue of section 34(4)(ha), that Provost Marshal;”;
(b) in paragraph (f), for “(a) to (i)” substitute “(a) to (h) or (i)”.
- 19 In section 41 (Secretary of State authorisations), in subsection (7), at the end insert “or is a member of the tri-service serious crime unit”.
- 20 In section 56(1)(interpretation of Part 3), in the definition of “chief officer of police”, after paragraph (h) insert—
“(ha) the Provost Marshal for serious crime;”.
- 21 (1) Section 81 (general interpretation) is amended as follows.
- (2) In subsection (1), at the appropriate place insert—
““tri-service serious crime unit” means the unit described in section 375(1A) of the Armed Forces Act 2006;”.
- (3) In subsection (6)(b), for the words from “serving” to the end substitute “serving—
(i) with that force,
(ii) with another of those police forces, or
(iii) with the tri-service serious crime unit.”
- 22 In Schedule 1 (regulation of relevant public authorities), after paragraph A1 insert—
“A1A The tri-service serious crime unit.”
- Sexual Offences Act 2003 (c. 42)*
- 23 Section 137 of the Sexual Offences Act 2003 (service courts), in subsection (4), at the appropriate place insert—
““Provost Marshal” means the Provost Marshal of a service police force or the Provost Marshal for serious crime;”.
- Armed Forces Act 2006 (c. 52)*
- 24 The Armed Forces Act 2006 is amended as follows.
- 25 (1) Section 93C (preliminary impairment test) is amended as follows.
- (2) In subsection (4), for the words from “means” to the end substitute “means—
(a) the Provost Marshals of each of the service police forces, and
(b) the Provost Marshal for serious crime.”
- (3) In subsection (6), at the end insert “or the Provost Marshal for serious crime”.
- 26 In section 113 (CO to ensure service police aware of possibility serious offence committed), in subsection (1), after “police force” insert “or the tri-service serious crime unit”.

After Schedule 4 - continued

- 27 In section 114 (CO to ensure service police aware of certain circumstances), in subsection (1), after “police force” insert “or the tri- service serious crime unit”.
- 28 In section 115 (duty of CO with respect to investigation of service offences), in subsections (1)(b) and (4)(b), after “police force” insert “or the tri-service serious crime unit”.
- 29 In section 116 (referral of case following investigation by service or civilian police), in subsection (1), after “service police force”(in each place it occurs) insert “or the tri-service serious crime unit”.
- 30 In section 119 (circumstances in which CO has power to charge etc), in subsection (3)(b), after “force” insert “or the tri-service serious crime unit”.
- 31 In section 321A (inspection of service police investigations), at the end insert –
“(5) For the purposes of this section the tri-service serious crime unit is to be regarded as a service police force.”
- 32 In section 374 (definitions applying for purposes of whole Act), at the appropriate place insert –
““tri-service serious crime unit” means the unit described in section 375(1A);”.

Counter-Terrorism Act 2008 (c. 28)

- 33 In section 18E of the Counter-Terrorism Act 2008 (sections 18 to 18E: supplementary provisions) subsection (1) is amended as follows.
- 34 In the definition of “law enforcement authority”, after paragraph (a) insert –
“(aa) the tri-service serious crime unit;”.
- 35 In the definition of “the responsible officer”, after paragraph (d) insert –
“(da) in relation to material obtained or acquired by the tri- service serious crime unit, the Provost Marshal for serious crime;”.
- 36 At the appropriate place insert –
““tri-service serious crime unit” means the unit described in section 375(1A) of the Armed Forces Act 2006.”

Coroners and Justice Act 2009 (c. 25)

- 37 The Coroners and Justice Act 2009 is amended as follows.
- 38 In section 47 (interested person), in subsection (2)(j), at the end insert “of a service police force or of the tri-service serious crime unit”.
- 39 In section 48 (interpretation: general), in subsection (1), at the appropriate place insert –
““tri-service serious crime unit” means the unit described in section 375(1A) of the Armed Forces Act 2006.”
- 40 In Schedule 1 (duty or power to suspend investigations), in paragraph 1(3), after “Provost Marshal” insert “of a service police force, the Provost Marshal for serious crime”.
- 41 In Schedule 7 (allowances, fees and expenses), in paragraph 5(2)(a), for “or a member of a police force,” substitute “member of a police force or member of the tri-service serious crime unit;”.

Terrorism Prevention and Investigation Measures Act 2011 (c. 23)

After Schedule 4 - continued

- 42 In Schedule 6 to the Terrorism Prevention and Investigation Measures Act 2011 (fingerprints and samples), in paragraph 14—
- (a) in the definition of “police force”, after paragraph (l) insert—
“and references to a police force are to be read as including the tri-service serious crime unit;”;
- (b) at the appropriate place insert—
““tri-service serious crime unit” means the unit described in section 375(1A) of the Armed Forces Act 2006.”

Investigatory Powers Act 2016 (c. 25)

- 43 The Investigatory Powers Act 2016 is amended as follows.
- 44 In section 56 (exclusion of matters from legal proceedings etc), in subsection (3)(d), at the end insert “or the tri-service serious crime unit”.
- 45 In section 57 (duty not to make unauthorised disclosures), in subsection (3)(c), at the end insert “or the tri-service serious crime unit”.
- 46 In section 263 (general definitions), in subsection (1), at the appropriate place insert—
““tri-service serious crime unit” means the unit described in section 375(1A) of the Armed Forces Act 2006;”.
- 47 In Schedule 4 (relevant public authorities and designated senior officers etc.), in the table in Part 1, after the entry relating to the Royal Air Force Police insert—

“Tri-service serious crime unit	60A(7)(a), (b), (c) and (e)	Lieutenant Commander	Entity data	61(7)(a) and (c)	61A(7)(a) and (c)
		Major	Entity data	61(7)(a) and (c)	61A(7)(a) and (c)
		Squadron leader	Entity data	61(7)(a) and (c)	61A(7)(a) and (c)
		Commander	All	61(7)(a) and (c)	61A(7)(a) and (c)
		Lieutenant colonel	All	61(7)(a) and (c)	61A(7)(a) and (c)
		Wing commander	All	61(7)(a) and (c)	61A(7)(a) and (c)”

- 48 In Part 1 of the table in Schedule 6 (issue of warrants under section 106 etc), after the entry relating to the Provost Marshal of the Royal Air Force Police insert—

After Schedule 4 - continued

“The Provost Marshal for serious crime.	A person holding the position of deputy Provost Marshal in the tri-service serious crime unit.	A member of the tri-service serious crime unit.”
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Data Protection Act 2018 (c. 12)

- 49 In Schedule 7 to the Data Protection Act 2018 (competent authorities), after paragraph 15 insert –
 “15A The Provost Marshal for serious crime.”

Counter-Terrorism and Border Security Act 2019 (c. 3)

- 50 In Schedule 3 to the Counter-Terrorism and Border Security Act 2019 (border security), in paragraph 51 –
- (a) in the definition of “police force”, after paragraph (l) insert –
 “and references to a police force are to be read as including the tri-service serious crime unit;”
 - (b) at the appropriate place insert –
 ““tri-service serious crime unit” means the unit described in section 375(1A) of the Armed Forces Act 2006.”

Crime (Overseas Production Orders) Act 2019 (c. 5)

- 51 (1) Section 15 of the Crime (Overseas Production Orders) Act 2019 (application of Act to service police) is amended as follows.
- (2) For subsection (3)(c) substitute –
 “(c) references to an equivalent appropriate officer are to be read as follows –
- (i) where the person who applied for the order or, as the case may be, made the application (“the applicant”) was a member of the tri-service serious crime unit, as references to a member of that unit;
 - (ii) in any other case, as references to a member of the same service police force as the applicant who is not a member of that unit.”
- (3) In subsection (7), at the appropriate place insert –
 ““tri-service serious crime unit” means the unit described in section 375(1A) of the Armed Forces Act 2006.”

Overseas Operations (Service Personnel and Veterans) Act 2021 (c. 23)

- 52 In section 7 of the Overseas Operations (Service Personnel and Veterans) Act 2021 (general interpretation etc), in subsection (4) –
- (a) in the definition of “investigating authority”, after paragraph (a) insert –
 “(aa) the tri-service serious crime unit;”
 - (b) at the appropriate place insert –

After Schedule 4 - continued

““tri-service serious crime unit” means the unit described in section 375(1A) of the Armed Forces Act 2006;”.”

Member’s explanatory statement

This new Schedule and the amendment in the name of Baroness Goldie to insert a new Clause after Clause 11 would make provision in connection with the establishment of a tri- service serious crime unit and with regard to the functions of the Provost Marshal for serious crime who is to be the head of that unit.

Clause 13

BARONESS GOLDIE

Page 26, line 11, leave out “service police force” and insert “relevant body”

Member’s explanatory statement

This amendment would make consequential provision in connection with the new Clause proposed by Baroness Goldie to be inserted after Clause 11.

Page 26, line 12, at end insert –

“(8) In subsection (7) “relevant body” means a service police force or the tri-service serious crime unit.”

Member’s explanatory statement

This amendment would make consequential provision in connection with the new Clause proposed by Baroness Goldie to be inserted after Clause 11.

After Clause 18

LORD COAKER
LORD CRAIG OF RADLEY
LORD DANNATT

Insert the following new Clause –

“Indefinite leave to remain payments by Commonwealth and Gurkha members of armed forces

- (1) The Immigration Act 2014 is amended as follows.
- (2) In section 68(10), after “regulations” insert “must make exceptions in respect of any person with citizenship of a Commonwealth country (other than the United Kingdom, or a veteran of the Hong Kong Military Service Corps who has served at least four years in the armed forces of the United Kingdom, or in respect of any person who has served at least four years in the Brigade of Gurkhas, such exceptions to include capping the fee for any such person applying for indefinite leave to remain at no more than the actual administrative cost of processing that application, and”.”

Clause 24

BARONESS GOLDIE

Page 38, line 21, at end insert –

“(ga) paragraphs 1 to 23 and 33 to 52 of Schedule (*Tri-service serious crime unit*)
(and section (*Framework for establishment of tri-service serious crime unit*)
(5), so far as it relates to those paragraphs);”

Member’s explanatory statement

This amendment is about the territorial extent of the new Schedule proposed by Baroness Goldie to be inserted after Schedule 4.

Clause 25

BARONESS GOLDIE

Page 39, line 4, leave out “and” and insert –

“(ha) paragraphs 1 to 23 and 33 to 52 of Schedule (*Tri-service serious crime unit*)
(and section (*Framework for establishment of tri-service serious crime unit*)
(5), so far as it relates to those paragraphs), and”

Member’s explanatory statement

This amendment is about the territorial extent of the new Schedule proposed by Baroness Goldie to be inserted after Schedule 4.

Armed Forces Bill

AMENDMENTS
TO BE MOVED
IN GRAND COMMITTEE

21 October 2021
