

Armed Forces Bill

RUNNING LIST OF ALL AMENDMENTS ON REPORT

*Tabled up to and including
7 October 2026*

[Amendments marked ★ are new or have been altered]

After Clause 2

LORD HARLECH

★ After Clause 2, insert the following new Clause—

“Health bodies: members of the reserve forces

- (1) AFA 2006 is amended as follows.
- (2) After section 343AZA insert—

“343AZAA Health bodies: members of the reserve forces

- (1) This section applies where a health body exercises a public function relating to health and social care in relation to an individual.
- (2) Nothing in this section requires a health body to provide any assessment, examination or treatment otherwise than in accordance with clinical need.
- (3) The health body must make arrangements to establish and record whether the individual is a service person and, in particular, whether the individual is a current member of the reserve forces.
- (4) The arrangements must enable the individual to correct or update that information. No individual is required to answer, and a refusal to answer must not affect any entitlement to, or the provision of, any service.
- (5) Where the individual is a member of the reserve forces, the health body must have due regard to that individual's need to attain and maintain the standards of medical and dental fitness required for the purposes of a call-out order or a recall order, and to the consequences of any delay for that individual's availability for service under Part 6 of RFA 1996.

- (6) Where two or more individuals are of equivalent clinical priority, the matters in subsection (5) may be taken into account.
- (7) The Defence Council must publish the standards referred to in subsection (5) in such manner as it thinks appropriate.
- (8) The Secretary of State must, after consulting the Welsh Ministers, the Scottish Ministers and the relevant Northern Ireland department, issue guidance about the operation of this section, including the form of words to be used for the purposes of subsection (3); and a health body must have regard to that guidance.
- (9) The Secretary of State must lay before Parliament an annual report on the operation of this section.
- (10) In this section –
 - “health body” has the meaning given by section 343AZB(5);
 - “member of the reserve forces” has the meaning given by section 1 of RFA 1996;
 - “service person” means a person falling within the definition of “service people” in section 343B(1).”

Member's explanatory statement

This new clause would require health bodies subject to the covenant duty to establish and record whether a patient is a current member of the reserve forces, and to have due regard to that person's need to meet the medical and dental fitness standards required for mobilisation. Answering would remain voluntary. Clinical need continues to govern throughout, and the matter may be weighed only as between patients of equivalent clinical priority.

After Clause 27

LORD THOMAS OF GRESFORD

★

After Clause 27, insert the following new Clause –

“Sentencing

In section 160 of Armed Forces Act 2006 (decisions of Court Martial: finding and sentence), for subsections (1) and (4) substitute –

- “(1) Any sentence passed by the Court Martial must be determined by the judge advocate alone, following consultation with the lay members.
- (2) The lay members are not entitled to vote on the sentence.”

Member's explanatory statement

This amendment provides for sentencing, subject to consultation with the lay members, by the judge advocate alone.

After Clause 38

LORD HARLECH

★ After Clause 38, insert the following new Clause —

“Detriment on grounds of membership of the reserve forces

- (1) A worker has the right not to be subjected to any detriment by any act, or any deliberate failure to act, by their employer done on the ground that the worker —
 - (a) is or has been a member of the reserve forces, or
 - (b) is or may become liable to be called out or recalled for service.
- (2) This section does not apply where the detriment in question amounts to dismissal.
- (3) A worker may present a complaint to an employment tribunal that their employer has contravened subsection (1).
- (4) A complaint under subsection (3) must be presented before the end of the period of six months beginning with the date of the act or failure to act complained of, or within such further period as the tribunal considers reasonable where it is satisfied that it was not reasonably practicable to present it in time.
- (5) Where the tribunal finds the complaint well founded it must make a declaration to that effect, and may award compensation, including compensation for injury to feelings, of such amount as it considers just and equitable having regard to the infringement and to any loss sustained by the worker.
- (6) Where the worker proves facts from which the tribunal could conclude, in the absence of any other explanation, that subsection (1) was contravened, the tribunal must uphold the complaint unless the employer shows that the detriment was in no sense whatsoever on a ground falling within that subsection.
- (7) A failure to permit time off for reserve forces training which section 50A of the Employment Rights Act 1996 does not require the employer to permit is not a detriment for the purposes of this section.
- (8) In this section —
 - “employer” and “worker” have the meanings given by section 230 of the Employment Rights Act 1996;
 - “member of the reserve forces” has the meaning given by section 1 of RFA 1996.”

Member's explanatory statement

This new clause would protect reservists from detriment short of dismissal, such as the denial of promotion or the withdrawal of duties, on the ground of their reserve service. Dismissal is already addressed by the Reserve Forces (Safeguard of Employment) Act 1985 and section 48 of the Defence Reform Act 2014, and is expressly excluded.

Clause 39

BARONESS GOLDIE
THE EARL OF MINTO

Leave out Clause 39

Member's explanatory statement

This amendment and the amendment to leave out Schedule 6 in the name of Baroness Goldie would remove the provisions which reorganise the Reserve Forces and Cadets' Associations into a non-departmental public body.

After Clause 39

LORD HARLECH

★

After Clause 39, insert the following new Clause —

“Right to time off for reserve forces training

- (1) The Employment Rights Act 1996 is amended as follows.
- (2) After section 50 insert —

“50A Right to time off for reserve forces training

- (1) An employer must permit an employee who is a member of a reserve force to take time off during the employee's working hours to undertake relevant reserve forces training.
- (2) "Relevant reserve forces training" means training which the employee is required or authorised to undertake under section 22 of the Reserve Forces Act 1996 and which consists of —
 - (a) the training required for the employee to achieve a Certificate of Efficiency, including the annual period of continuous training, or
 - (b) a course of instruction leading to promotion, or to the award of a qualification recognised by the Defence Council for that purpose.
- (3) The entitlement under this section is ten working days in any leave year, reduced proportionately in the case of an employee who does not work full-time.
- (4) Time off taken under a contractual entitlement for a purpose within subsection (2) counts towards, and does not increase, the entitlement under this section.
- (5) An employee is not entitled to time off under this section unless continuously employed by the employer for not less than twenty-six weeks ending with the day on which notice is given under subsection (6).
- (6) The employee must give the employer notice in writing specifying the dates on which and the purpose for which the time off is to be taken, not

less than twenty-eight days before the first of those dates or, where that is not reasonably practicable, as soon as it is.

- (7) The employer may require a certificate, signed by the employee's commanding officer or by an officer authorised by the commanding officer, confirming the purpose and duration of the training.
- (8) Where time off has been taken in respect of training which is subsequently cancelled or curtailed by the Secretary of State or by the employee's commanding officer, the days affected are to be treated as not having been used for the purposes of subsection (3); but an employer is not required by this section to permit more than fifteen working days of time off in any leave year.
- (9) This section confers no entitlement to remuneration, and does not prevent an employer from permitting time off where it is not required to do so.
- (10) This section does not apply in relation to an employer that employed, on average, fewer than fifty persons in the United Kingdom during the preceding financial year.
- (11) In this section —
 - “leave year” has the meaning given by regulation 13(3) of the Working Time Regulations 1998;
 - “member of a reserve force” has the meaning given by section 1 of the Reserve Forces Act 1996.”
- (3) In section 51(1), after "section 50" insert "or 50A".
- (4) This section comes into force at the end of the period of twelve months beginning with the day on which this Act is passed.”

Member's explanatory statement

This new clause would give reservists employed by businesses with fifty or more employees a right to ten days' unpaid leave a year for the training required to achieve a Certificate of Efficiency and for promotion courses, so that such training need not be taken from annual leave. The right would arise after twenty-six weeks with the civilian employer, requires twenty-eight days' notice, and counts against any contractual entitlement already offered. Where training is cancelled by the Ministry of Defence, the days are restored to the employee.

After Clause 43

LORD THOMAS OF GRESFORD



After Clause 43, insert the following new Clause —

“Visiting forces agreements

- (1) The Secretary of State must publish in unredacted form any part of a treaty, memorandum of understanding or agreement between the United Kingdom and any sending country relating to visiting forces containing a decision about a jurisdictional question, including in relation to the Visiting Forces Act 1952.

- (2) Alongside the material published under subsection (1), the Secretary of State must publish a document setting out the reasons behind any decision about a jurisdictional question contained in the relevant treaty, memorandum of understanding or agreement.”

Member's explanatory statement

This amendment probes the nature of any agreements reached between the UK and a sending country in relation to jurisdiction over visiting forces, and requires the Secretary of State to set out the reasons behind such a decision.

After Clause 51

THE LORD BISHOP OF NORWICH

After Clause 51, insert the following new Clause—

“Protection of service police from assaults

- (1) In section 3 of the Assaults on Emergency Workers (Offences) Act 2018 (meaning of “emergency worker”)—
- (a) in subsection (1), after paragraph (b) insert—
- “(ba) a service police officer;”;
- (b) in subsection (3), at the end insert—
- ““service police” has the same meaning as in section 375 of the Armed Forces Act 2006 (definitions relating to the service police and other police forces).”
- (2) In section 1 of the Emergency Workers (Scotland) Act 2005 (assaulting or impeding certain providers of emergency services), after subsection (3)(a), insert—
- “(aa) that of a service police officer, as defined in section 375 of the Armed Forces Act 2006 (definitions relating to the service police and other police forces);”.
- (3) In section 66 of the Police (Northern Ireland) Act 1998 (assaults on, and obstruction of, constables, etc)—
- (a) in subsection (1), after “constable”, in both places it occurs, insert “, including a service police officer;”;
- (b) in subsection (6), at the end insert—
- ““service police” has the same meaning as in section 375 of the Armed Forces Act 2006 (definitions relating to the service police and other police forces).”

Member's explanatory statement

This amendment seeks to include service police officers in the categories of individuals protected in legislation protecting the police, and other emergency workers, in England and Wales, Scotland and Northern Ireland.

THE LORD BISHOP OF NORWICH

After Clause 51, insert the following new Clause –

“Impersonation of service police

- (1) In section 90 of the Police Act 1996 (impersonation, etc) –
 - (a) after “force”, in each place it occurs, insert “, including service police,”;
 - (b) in subsection (4), at end insert –
 - “(c) “service police” has the same meaning as in section 375 of the Armed Forces Act 2006 (definitions relating to the service police and other police forces).”
- (2) In section 92 of the Police and Fire Reform (Scotland) Act 2012 (impersonation etc), in subsection (6), at the end insert –
 - ““constable” includes a member of the service police;
 - “service police” has the same meaning as in section 375 of the Armed Forces Act 2006 (definitions relating to the service police and other police forces).”
- (3) In section 67 of the Police (Northern Ireland) Act 1998 (impersonation etc), in subsection (6), at the end insert –
 - ““member the police force” includes a member of the service police;
 - “service police” has the same meaning as in section 375 of the Armed Forces Act 2006 (definitions relating to the service police and other police forces).”

Member's explanatory statement

This amendment seeks to make impersonating a service police officer a specific offence and afford service police the same protections against impersonation given to their civilian counterparts, in England and Wales, Scotland and Northern Ireland.

BARONESS SMITH OF NEWNHAM

After Clause 51, insert the following new Clause –

“Duty to provide medical records on discharge

- (1) This section applies where a person ceases to be a member of the regular forces or the reserve forces.
- (2) The Secretary of State must by regulations made by statutory instrument make provision for a complete copy of the person's service medical records to be provided to the person no later than one month after the day on which the person is discharged or otherwise ceases to be a member of those forces.
- (3) Those regulations may specify the manner and form in which service medical records are to be provided under this section, including provision for records to be transferred directly to a civilian health body with the person's consent.

- (4) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (5) In this section—
 - “health body” has the same meaning as in section 343AZB of AFA 2006;
 - “service medical records” means any records relating to the person's physical or mental health care and treatment created or maintained by or on behalf of His Majesty's forces during the person's period of service.”

Member's explanatory statement

This new clause places a statutory duty on the Secretary of State to ensure that all service personnel leaving the military receive a complete copy of their medical records within one month of their discharge date.

Schedule 1

BARONESS GOLDIE
THE EARL OF MINTO

Schedule 1, page 75, line 26, at end insert—

“(aa) three members of His Majesty’s Forces, and”

Member's explanatory statement

This amendment requires three representatives of the armed forces to be members of the Defence Housing Service and sit on the board.

BARONESS GOLDIE
THE EARL OF MINTO

Schedule 1, page 75, line 31, at end insert—

- “(3) The members of His Majesty’s Forces who are members of the Defence Housing Service must—
 - (a) have current or previous experience of living in service family accommodation,
 - (b) be selected in such a manner as specified in regulations made by the Defence Council, and
 - (c) be selected equally from the army, the Royal Navy and the Royal Air Force.”

Member's explanatory statement

This amendment specifies that the terms of appointment for the three members of the armed forces who are to be members of the Defence Housing Service for the purposes of the other amendment to Schedule 1 in the name of Baroness Goldie.

Schedule 6

BARONESS GOLDIE
THE EARL OF MINTO

Leave out Schedule 6

Member's explanatory statement

This amendment and the amendment to leave out Clause 39 in the name of Baroness Goldie would remove the provisions which reorganise the Reserve Forces and Cadets' Associations into a non-departmental public body.

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PUBLISHED BY AUTHORITY OF THE HOUSE OF LORDS