



Overseas Operations (Service Personnel and Veterans) Act 2021

CHAPTER 23

OVERSEAS OPERATIONS (SERVICE PERSONNEL AND VETERANS) ACT 2021

PART 1

RESTRICTIONS ON PROSECUTION FOR CERTAIN OFFENCES

Presumption against prosecution

- 1 Prosecutorial decision regarding alleged conduct during overseas operations
- 2 Presumption against prosecution
- 3 Matters to be given particular weight
- 4 Section 3: supplementary

Consent to prosecution

- 5 Requirement of consent to prosecute

General

- 6 “Relevant offence”
- 7 General interpretation etc

PART 2

OVERSEAS OPERATIONS: LIMITATION PERIODS

- 8 Restrictions on time limits to bring actions: England and Wales
- 9 Restrictions on time limits to bring actions: Scotland

Changes to legislation: There are currently no known outstanding effects for the Overseas Operations (Service Personnel and Veterans) Act 2021. (See end of Document for details)

- 10 Restrictions on time limits to bring actions: Northern Ireland
- 11 Court's discretion to extend time in certain Human Rights Act proceedings

PART 3

GENERAL

- 12 Power to make consequential provision
- 13 Extent
- 14 Commencement and application
- 15 Short title

SCHEDULES

SCHEDULE 1 — Excluded offences for the purposes of section 6

PART 1 — CRIMINAL CONDUCT ETC UNDER ARMED FORCES LEGISLATION

Criminal conduct etc under armed forces legislation

- 1 (1) An offence under section 42 of the Armed Forces...

Corresponding offences under law of England and Wales (including under repealed provisions)

- 2 An offence under any provision of the Sexual Offences Act...
- 3 An offence under section 1 of the Indecency with Children...
- 4 An offence under section 1(1) of the Genocide Act 1969...
- 5 An offence under section 54 of the Criminal Law Act...
- 6 An offence under section 1 of the Protection of Children...
- 7 An offence under section 160 of the Criminal Justice Act...
- 8 An offence under any provision of the Sexual Offences Act...
- 9 An offence under section 63 of the Criminal Justice and...
- 10 An offence under section 62 of the Coroners and Justice...
- 11 An offence under section 33 of the Criminal Justice and...
- 12 An offence under section 2 of the Modern Slavery Act...
- 13 An offence at common law of outraging public decency.
- 14 An offence within any of paragraphs 18 to 20 (certain...
- 15 A reference in paragraphs 2 to 14 or paragraphs 30...

Interpretation etc

- 16 (1) In paragraph 1(1) the reference to the “corresponding civil...
PART 2 — INTERNATIONAL CRIMINAL COURT ACT 2001

Excluded offences within this Part

- 17 An offence under the law of England and Wales or...

England and Wales

- 18 An offence under section 51 of the International Criminal Court...
- 19 An ancillary offence under the law of England and Wales...
- 20 An offence under subsection (1) of section 52 of the...

Changes to legislation: There are currently no known outstanding effects for the Overseas Operations (Service Personnel and Veterans) Act 2021. (See end of Document for details)

Northern Ireland

- 21 An offence under section 58 of the International Criminal Court...
- 22 An ancillary offence under the law of Northern Ireland in...
- 23 An offence under subsection (1) of section 59 of the...

Interpretation

- 24 In this Part of this Schedule— (a) references to an...
PART 3 — INTERNATIONAL CRIMINAL COURT (SCOTLAND) ACT 2001
- 25 An offence within any of paragraphs 26 to 28 is...
- 26 An offence under section 1(1) of the International Criminal Court...
- 27 An offence under section 2(1) of that Act (conduct ancillary...
- 28 An offence under subsection (3) of section 2 of that...

Interpretation

- 29 In this Part of this Schedule references to an ancillary...
PART 4 — OTHER OFFENCES OF TORTURE
- 30 An offence under section 134 of the Criminal Justice Act...
- 31 An offence under section 1(1) of the Geneva Conventions Act...
PART 5 — PROVISIONS EXTENDING JURISDICTION IN RESPECT OF CERTAIN
SEXUAL OFFENCES

Section 72 of the Sexual Offences Act 2003

- 32 (1) Where by virtue of section 72 of the Sexual...

Article 76 of the Sexual Offences (Northern Ireland) Order 2008 (S.I. 2008/1769 (N.I. 2))

- 33 (1) Where by virtue of Article 76 of the Sexual...

Section 55 of the Sexual Offences (Scotland) Act 2009 (asp 9)

- 34 (1) Where by virtue of section 55 of the Sexual...

Provisions superseded by provisions mentioned in paragraphs 32 to 34

- 35 Where by virtue of section 7 of the Sex Offenders...
- 36 Where by virtue of section 16B of the Criminal Law...

SCHEDULE 2 — Limitation periods: England and Wales

PART 1 — COURT'S DISCRETION TO DISAPPLY TIME LIMITS

- 1 (1) Section 33 of the Limitation Act 1980 (discretionary exclusion...
PART 2 — RESTRICTION OF FOREIGN LIMITATION LAW
- 2 (1) The Foreign Limitation Periods Act 1984 is amended as...

SCHEDULE 3 — Limitation periods: Scotland

PART 1 — COURT'S POWER TO OVERRIDE TIME-LIMITS

- 1 (1) The Prescription and Limitation (Scotland) Act 1973 is amended...
PART 2 — RESTRICTION OF FOREIGN LIMITATION LAW
- 2 (1) The Prescription and Limitation (Scotland) Act 1973 is amended...

SCHEDULE 4 — Limitation periods: Northern Ireland

PART 1 — COURT'S DISCRETION TO DISAPPLY TIME LIMITS

- 1 (1) Article 50 of the Limitation (Northern Ireland) Order 1989...

Changes to legislation: There are currently no known outstanding effects for the Overseas Operations (Service Personnel and Veterans) Act 2021. (See end of Document for details)

- PART 2 — RESTRICTION OF FOREIGN LIMITATION LAW
- 2 (1) The Foreign Limitation Periods (Northern Ireland) Order 1985
(S.I....

Changes to legislation:

There are currently no known outstanding effects for the Overseas Operations (Service Personnel and Veterans) Act 2021.