Armed Forces Bill

MARSHALLED

LIST OF AMENDMENTS

TO BE MOVED

ON REPORT

The amendments have been marshalled in accordance with the Instruction of 13th October 2026, as follows—

Clauses 1 to 3	Clauses 32 to 36
Schedule 1	Schedule 5
Clauses 4 and 5	Clauses 37 to 39
Schedule 2	Schedule 6
Clauses 6 and 7	Clauses 40 to 47
Schedule 3	Schedule 7
Clauses 8 to 31	Clauses 48 to 57
Schedule 4	Title

[*Amendments marked ★ are new or have been altered*]

Amendment No.

Clause 2

LORD COAKER

1 Clause 2, page 6, line 42, leave out subsection (7)

Member's explanatory statement
This amendment would secure that statutory guidance in relation to the duties imposed in connection with the armed forces covenant will continue to be subject to affirmative Parliamentary procedure.

After Clause 2

LORD HARLECH
BARONESS FRASER OF CRAIGMADDIE

2 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 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 . Answering would remain voluntary, and Clinical need continues to govern throughout.

After Clause 3

BARONESS SMITH OF NEWNHAM

3 After Clause 3, insert the following new Clause—

"Military homes standard

(1) The Secretary of State must by regulations specify requirements to be met by military housing (the "military homes standard").

(2) The military homes standard must apply to single living accommodation and may apply to such other descriptions of military housing as the Secretary of State may by regulations specify.

(3) The requirements specified under subsection (1) must secure a standard no lower than the requirements specified under section 2A of the Housing Act 2004 (power to set standards for qualifying residential premises) in relation to qualifying residential premises.

(4) The first regulations under subsection (1) must be made within six months of the day on which this Act is passed.

(5) Regulations under this section are to be made by statutory instrument.

(6) 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."

Member's explanatory statement
This amendment would require the Secretary of State to establish a military homes standard for military housing, which must apply to single living accommodation and be no lower than the decent homes standard applying under the Housing Act 2004.

Schedule 1

LORD COAKER

4 Schedule 1, page 75, line 20, after "holding" insert "or acquisition"

Member's explanatory statement
This is a clarifying amendment.

LORD COAKER

5 Schedule 1, page 75, line 21, after "held" insert "or acquired"

Member's explanatory statement
This amendment is consequential on my amendment at Schedule 1, page 75, line 20.

BARONESS GOLDIE
THE EARL OF MINTO

6 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

7 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 3

BARONESS BRINTON

8 Schedule 3, page 115, line 12, at end insert—

"236TA Provision for specialist stalking training

(1) The Secretary of State must ensure that specialist stalking training is provided to service police, and other personnel exercising functions under this Chapter.

(2) The training must include provision on—

(a) identifying stalking,
(b) patterns of escalation and stalking-related risk, and
(c) the application for, implementation and enforcement of service stalking protection orders.

(3) The training must be developed and delivered in collaboration with independent organisations with specialist expertise in stalking.

(4) The Secretary of State must ensure that such training is in place before this Chapter comes into force and is subject to regular review."

Member's explanatory statement
This amendment requires specialist stalking training to be in place before the service stalking protection order regime comes into force to support the effective implementation of the new measures.

BARONESS BRINTON

9 Schedule 3, page 115, line 12, at end insert—

"236TA Continuity of protection

(1) The Secretary of State must make provision to ensure the continuity of protection afforded by a service stalking protection order where a person becomes, or ceases to be, subject to service law.

(2) Provision made under subsection (1) must include—
(a) cooperation between service police, civilian police and relevant safeguarding authorities;
(b) the sharing of relevant information necessary for the effective operation and enforcement of service stalking protection orders;
(c) continuity of protection where responsibility for the enforcement of a service stalking protection order passes between service police and civilian police, including where individuals move between military and civilian jurisdictions;
(d) recognition of civilian stalking protection orders within military safeguarding and risk management processes.

(3) The Secretary of State must publish and keep under review provisions made under this section."

Member's explanatory statement
This amendment requires the Secretary of State to ensure continuity of protection where responsibility for a stalking case passes between military and civilian jurisdictions, reducing the risk of gaps in protection when individuals move between service and civilian systems.

Clause 11

BARONESS BRINTON

10 Clause 11, page 30, line 28, at end insert—

"(1A) The code for victims in the service justice system may not restrict the applications of its provisions to exclude victims of sexual offences or domestic abuse offences, including service personnel who are victims and whose cases are being investigated or prosecuted in the civilian justice system."

Member's explanatory statement
This amendment seeks to ensure that the Service Victims' Code must always apply to victims of sexual offences and domestic abuse offences. It also ensures that service personnel whose cases are being taken forward in the CJS will receive an equivalent right to service-provided victims services as those whose cases are taken forward in the SJS.

LORD COAKER

11 Clause 11, page 31, line 20, at end insert—

"(2A) The Secretary of State must lay the code before Parliament.

(2B) After the code has been laid before Parliament, the Secretary of State may bring it into force by regulations."

Member's explanatory statement
This amendment, together with my other amendments to clause 11, would require the Secretary of State to lay before Parliament, and bring into force by regulations, the code for victims in the service justice system.

LORD COAKER

12 Clause 11, page 31, line 29, leave out "Subsection (1) applies" and insert "Subsections (1) to (2B) apply"

Member's explanatory statement
See the explanatory statement to my amendment to clause 11, page 31, line 20.

LORD COAKER

13 Clause 11, page 31, line 35, leave out subsection (6)

Member's explanatory statement
See the explanatory statement to my amendment to clause 11, page 31, line 20.

LORD COAKER

14 Clause 11, page 31, line 37, after "code" insert "to which subsections (2A) and (2B) do not apply"

Member's explanatory statement
See the explanatory statement to my amendment to clause 11, page 31, line 20.

LORD COAKER

15 Clause 11, page 31, line 39, leave out "(6) or"

Member's explanatory statement
See the explanatory statement to my amendment to clause 11, page 31, line 20.

After Clause 27

BARONESS BRINTON

16 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.

Clause 32

LORD COAKER

17 Clause 32, page 57, line 16, leave out "and (3)" and insert "to (3A)"

Member's explanatory statement
This amendment is consequential on my amendment to clause 32, page 57, line 30.

LORD COAKER

18 Clause 32, page 57, line 30, at end insert—

"(3A) In section 13 (transfer of men between reserve forces)—

(a) in subsection (1) for "an ex-regular reserve force" substitute "a reserve force";

(b) after subsection (4) insert—

"(4A) A person originally serving in a volunteer reserve force on transfer from the regular services who—

(a) ceases to be a member of a reserve force without enlisting or re-enlisting in another reserve force, and

(b) does so before the date on which their term of compulsory service in an ex-regular reserve force would (if they had been transferred to, and remained a member of, such a force) expire,

is, unless an authorised officer otherwise directs, to become a member of an ex-regular reserve force.";

(c) in subsection (5) after "subsection (4)" insert "or (4A)"."

Member's explanatory statement
This amendment would make consequential amendments to section 13 as a result of the changes made by clause 32 enabling persons to transfer from the regular forces to the volunteer reserve forces.

Schedule 5

LORD COAKER

19 Schedule 5, page 130, line 37, leave out from "have" to end of line 38 and insert "without interruption since that time remained a member of either or both of—

(i) that force, or

(ii) an ex-regular reserve force, having become a member of that force by virtue of the operation of section 13(4A), and"

Member's explanatory statement
This amendment would ensure that a person's transfer to an ex-regular reserve force from a volunteer reserve force for the purposes of completing a term of compulsory service will not prevent the person remaining a member of the third transitional class.

LORD COAKER

20 Schedule 5, page 130, line 40, leave out first "that" and insert "any such"

Member's explanatory statement
This amendment is consequential on my amendment to Schedule 5, page 130, line 37.

LORD COAKER

21 Schedule 5, page 132, line 36, at end insert—

"(2) For the purposes of sub-paragraph (1), a member of a volunteer reserve force who becomes a member of an ex-regular reserve force by virtue of the operation of section 13(4A) is not to be treated as joining another reserve force."

Member's explanatory statement
This amendment would ensure that a person's transfer to an ex-regular reserve force from a volunteer reserve force for the purposes of completing a term of compulsory service will not prevent the person remaining a member of the fourth transitional class.

Clause 39

BARONESS GOLDIE
THE EARL OF MINTO

22 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
BARONESS FRASER OF CRAIGMADDIE

23 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. The right would arise after 26 weeks with the civilian employer and counts against any contractual entitlement already offered.

LORD HARLECH

24 After Clause 39, 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.

BARONESS GOLDIE
THE EARL OF MINTO

25 After Clause 39, insert the following new Clause—

"Tax-free reserve service: review

(1) The Secretary of State must, within the period of one month beginning with the day on which this Act is passed, undertake a review of the merits of a tax-free reserve service policy.

(2) The review must consider the impacts of a tax-free reserve service policy on recruitment and retention in the reserve forces, with a view to increasing the size of the reserve forces.

(3) In this section—

"a tax-free reserve service policy" means a policy whereby a member of the reserve forces does not pay income tax on their pay for the first 30 days of reserve service in each financial year;

"the reserve forces" has the same meaning given by section 1 of the Reserve Forces Act 1996 (power to maintain the reserve forces), and a reference to a "member of the reserve forces" is to be construed accordingly."

Schedule 6

LORD COAKER

26 Schedule 6, page 135, line 18, leave out "five" and insert "ten"

Member's explanatory statement
This amendment would increase the limit on the number of non-executive members that may be appointed to the Reserve Forces and Cadets Association.

LORD COAKER

27 Schedule 6, page 135, line 22, at end insert—

"(d) such number of representative members as may be appointed by the executive and non-executive members."

Member's explanatory statement
This amendment would enable the chairs of regional councils to be appointed as representative members of the RFCA.

LORD COAKER

28 Schedule 6, page 135, line 23, after "members" insert "and representative members (combined)"

Member's explanatory statement
This amendment would ensure that the total number of executive and representative members of the RFCA must be less than the number of non-executive members.

LORD COAKER

29 Schedule 6, page 135, line 30, at end insert—

"(c) references to "representative members" are to the members mentioned in paragraph 14(4C)."

Member's explanatory statement
This amendment is consequential on my amendment to Schedule 6, page 135, line 22.

LORD COAKER

30 Schedule 6, page 138, line 1, leave out "paragraph 14" and insert "paragraphs 14 and 14A"

Member's explanatory statement
This amendment is consequential on my amendment to Schedule 6, page 139, line 17.

LORD COAKER

31 Schedule 6, page 138, line 2, leave out "that paragraph" and insert "those paragraphs"

Member's explanatory statement
This amendment is consequential on my amendment to Schedule 6, page 139, line 17.

LORD COAKER

32 Schedule 6, page 138, line 11, leave out "paragraph 14" and insert "paragraphs 14 and 14A"

Member's explanatory statement
This amendment is consequential on my amendment to Schedule 6, page 139, line 17.

LORD COAKER

33 Schedule 6, page 138, line 12, leave out "that paragraph" and insert "those paragraphs"

Member's explanatory statement
This amendment is consequential on my amendment to Schedule 6, page 139, line 17.

LORD COAKER

34 Schedule 6, page 138, line 23, leave out "paragraph 14" and insert "paragraphs 14 and 14A"

Member's explanatory statement
This amendment is consequential on my amendment to Schedule 6, page 139, line 17.

LORD COAKER

35 Schedule 6, page 138, line 24, leave out "that paragraph" and insert "those paragraphs"

Member's explanatory statement
This amendment is consequential on my amendment to Schedule 6, page 139, line 17.

LORD COAKER

36 Schedule 6, page 138, line 25, leave out "paragraph 14" and insert "paragraphs 14 and 14A"

Member's explanatory statement
This amendment is consequential on my amendment to Schedule 6, page 139, line 17.

LORD COAKER

37 Schedule 6, page 138, line 26, leave out "that paragraph" and insert "those paragraphs"

Member's explanatory statement
This amendment is consequential on my amendment to Schedule 6, page 139, line 17.

LORD COAKER

38 Schedule 6, page 139, line 8, at end insert—

"(ba) for a regional council to have such functions in respect of the giving of advice and assistance regarding matters relating to its area as the regulations may specify;"

Member's explanatory statement
This amendment would enable regulations to confer functions on a regional council in relation to the giving of advice and assistance.

LORD COAKER

39 Schedule 6, page 139, line 10, at end insert—

"(4A) Provision under sub-paragraph (4)(a) must include provision for each regional council to have—

(a) a chair appointed by the council from among its members;
(b) a president, and one or more vice-presidents, appointed by the RFCA.

(4B) A person appointed as president, or as a vice-president, of a regional council must be—
(a) an appropriate lord-lieutenant available to act in that capacity, or
(b) if there is no such person, any person that the RFCA thinks appropriate,
and in this sub-paragraph "appropriate lord-lieutenant" means a lord-lieutenant for an area, or part of an area, that falls within the area for which the council is established.

(4C) The RFCA may appoint a chair of a regional council to be a representative member of the RFCA, but there are to be no more than six representative members at any time."

Member's explanatory statement
This amendment would make further provision about the membership of a regional council, including provision for each council to have a chair and a president and for the appointment from among the chairs of a maximum of six representative members of the RFCA.

LORD COAKER

40 Schedule 6, page 139, line 17, at end insert—

"National council

14A(1) The RFCA must establish a committee to be known as the national council.

(2) The national council is to consist of the following members—
(a) a person appointed by the RFCA to act as the president of the council;
(b) the chairs of each of the regional councils;
(c) at least one but not more than four service members appointed by the Defence Council;
(d) such other members as the RFCA considers appropriate to appoint.

(3) In sub-paragraph (2)(c) "service member" means a person who is a member or former member of His Majesty's forces or who is specially qualified by their interest in, and knowledge of matters relating to, His Majesty's forces (or any particular such Force).

(4) A person who is a member of the RFCA's staff may not be appointed under sub-paragraph (2)(d).

(5) The national council must appoint one of its members to act as its chair.

(6) The Defence Council may by regulations make provision—
(a) for functions of the RFCA to be delegated to the national council;
(b) for the national council to have such functions in respect of the giving of advice and assistance as the regulations may specify;
(c) about the exercise by the national council of functions conferred by virtue of the regulations.

(7) The power to make regulations under this paragraph includes power to make—
  (a) consequential, supplementary, incidental, transitional or saving provision;
  (b) different provision for different purposes.

(8) Regulations under this paragraph must be laid before each House of Parliament after being made."

Member's explanatory statement
This amendment would provide for there to be a national council of the Reserve Forces and Cadets Association whose membership would include the chairs of the regional councils.

LORD COAKER

41 Schedule 6, page 139, line 19, leave out from "and" to "the" in line 21

Member's explanatory statement
This amendment is consequential on other amendments in my name to Schedule 6.

LORD COAKER

42 Schedule 6, page 139, line 29, at end insert—

"(4) This paragraph is subject to paragraphs 14 and 14A and regulations made by the Defence Council under those paragraphs."

Member's explanatory statement
This amendment is consequential on other amendments in my name to Schedule 6.

BARONESS GOLDIE
THE EARL OF MINTO

43 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.

After Clause 43

LORD COAKER

44 After Clause 43, insert the following new Clause—

"Service police

Assaults on members of a service police force

(1) Section 3 of the Assaults on Emergency Workers (Offences) Act 2018 (meaning of "emergency worker") is amended as follows.

(2) In subsection (1)—

(a) after paragraph (a) insert—

"(aa) a member of a service police force;";

(b) in paragraph (b), after "constable", in the first place it occurs, insert "or a member of a service police force".

(3) In subsection (3), at the appropriate place insert—

""service police force" has the same meaning as in the Armed Forces Act 2006 (see section 375(1) of that Act)."

(4) Section 68 of the Sentencing Act 2020 (emergency workers for the purposes of section 67) is amended as follows.

(5) In subsection (1)—

(a) after paragraph (a) insert—

"(aa) a member of a service police force;";

(b) in paragraph (b), after "constable", in the first place it occurs, insert "or a member of a service police force".

(6) In subsection (3), at the appropriate place insert—

""service police force" has the same meaning as in the Armed Forces Act 2006 (see section 375(1) of that Act)."

(7) In section 1 of the Emergency Workers (Scotland) Act 2005 (asp 2) (assaulting or impeding certain providers of emergency services)—

(a) in subsection (3), after paragraph (a) insert—

"(aa) that of a member of a service police force;";

(b) after subsection (3) insert—

"(4) In subsection (3)(aa), "service police force" has the same meaning as in the Armed Forces Act 2006 (see section 375(1) of that Act).""

Member's explanatory statement

This amendment would ensure that definitions of emergency worker for the purposes of offences relating to assaults on emergency workers include members of a service police force.

LORD COAKER

45 After Clause 43, insert the following new Clause—

"Impersonation etc: members of service police force (England and Wales and Scotland)

(1) Section 90 of the Police Act 1996 (impersonation, etc.) applies as if—

(a) a reference to a member of a police force included a reference to a member of a service police force, and

(b) in subsection (2), the reference to a constable included a reference to a member of a service police force.

(2) In its application to a service police force by virtue of subsection (1), section 90 has effect throughout England and Wales and Scotland.

(3) In this section "service police force" has the same meaning as in the Armed Forces Act 2006 (see section 375(1) of that Act)."

Member's explanatory statement
This amendment would provide for section 90 of the Police Act 1996 to apply in relation to members of a service police force and for that section as applied to have effect throughout England and Wales and Scotland.

LORD COAKER

46 After Clause 43, insert the following new Clause—

"Impersonation etc: members of service police force (Northern Ireland)

(1) Section 67 of the Police (Northern Ireland) Act 1998 applies as if—

(a) a reference to a member of the police force included a reference to a member of a service police force, and

(b) in subsection (2), the reference to a constable included a reference to a member of a service police force.

(2) In this section "service police force" has the same meaning as in the Armed Forces Act 2006 (see section 375(1) of that Act)."

Member's explanatory statement
This amendment would provide for section 67 of the Police (Northern Ireland) Act 1998 to apply in relation to members of a service police force.

THE LORD BISHOP OF NORWICH
BARONESS GOLDIE
BARONESS BRINTON

47 After Clause 43, 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
BARONESS GOLDIE
BARONESS BRINTON

48 After Clause 43, 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 of 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 BRINTON

49 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.

BARONESS BRINTON
BARONESS BENNETT OF MANOR CASTLE

50 After Clause 43, insert the following new Clause—

"Visiting forces: jurisdiction

(1) Where a visiting force requests or asserts that an alleged offence committed by a person subject to the Visiting Forces Act 1952 should be dealt with under its jurisdiction, the relevant UK civilian police force must, as soon as the approach is made, record—

(a) details of the alleged offence or offences,

(b) details of the alleged victim,

(c) the name, rank and unit of the officer of the visiting force making the approach,

(d) the name, rank and unit of the officer of the relevant police force to whom the approach is made, and

(e) the views of the alleged victim on the relinquishment of jurisdiction to the visiting force, and whether the alleged victim has been informed of their rights and had those rights explained to them.

(2) No decision may be taken to transfer the case to the jurisdiction of the visiting force unless—

(a) the chief officer of police of the relevant police force and the Chief Crown Prosecutor for the relevant Crown Prosecution Service Area agree that the transfer is appropriate under the terms of the Visiting Forces Act 1952, and

(b) the reasons for that decision are recorded in writing.

(3) The decision under subsection (2)—

(a) together with the reasons for it and the information recorded under subsection (2) must be sent to the Secretary of State, and

(b) does not take effect until the Secretary of State has reviewed and approved it."

Member's explanatory statement
This amendment requires certain actions to be taken in response to requests by visiting forces to take jurisdiction over alleged offences, including data recording, recording the views of the alleged victim, joint agreement to any transfer, and final review by the Secretary of State.

BARONESS BENNETT OF MANOR CASTLE
BARONESS BRINTON

51 After Clause 43, insert the following new Clause—

"Visiting forces: qualifying sexual offences

(1) After section 3 of VFA 1952 insert—

"3A Qualifying sexual offences: restriction on relinquishment of jurisdiction

(1) This section applies where—

(a) a person is alleged to have committed a qualifying sexual offence in the United Kingdom at a time when the person was a member of a visiting force or of its civilian component, and

(b) the alleged victim was not at that time a member of that force or component, or a dependant of such a member.

(2) It is to be presumed that any investigation of the alleged offence will be conducted by a United Kingdom police force and that any proceedings in respect of it will be conducted before a United Kingdom court.

(3) A relevant authority may not transfer the investigation of the alleged offence to the authorities of the sending country, or consent to the exercise of jurisdiction over it by those authorities, or otherwise waive the United Kingdom's primary right to exercise jurisdiction in respect of it, except pursuant to a decision under subsection (4).

(4) The relevant prosecutor may decide that the alleged offence is to be dealt with under the law of the sending country only if—

(a) the decision is made by the relevant prosecutor personally,

(b) the relevant prosecutor has had regard to—

(i) the gravity of the alleged offence,

(ii) the connection of the alleged victim and of the offence with the United Kingdom,

(iii) the capacity of the sending country's arrangements, including its treatment of victims, to secure justice in the case,

(iv) any matters relied on in support of a request for a waiver, and

(v) any representations regarding the decision made within a reasonable period by the alleged victim, and

(c) the relevant prosecutor is satisfied that, by reason of exceptional circumstances, it is in the interests of justice for the alleged offence to be so dealt with.

(5) On making a decision under subsection (4) the relevant prosecutor must record the decision and the reasons for it in writing and, so far as reasonably practicable, notify them to the alleged victim.

(6) Nothing in this section prevents sympathetic consideration being given to a request by the sending country for a waiver of the United Kingdom's primary right; but effect may be given to such a request only in accordance with this section.

(7) For the purposes of this Act, an act constituting a qualifying sexual offence is not capable of arising out of and in the course of a person's duty as a member of a visiting force or of its civilian component; and a certificate under section 11(4) is accordingly of no effect in relation to such an offence.

(8) In this section—

"alleged victim" means the person against whom the offence is alleged to have been committed and, where that person has died or lacks capacity to act, includes a member of that person's family;

"qualifying sexual offence" means an offence under Part 1 of the Sexual Offences Act 2003, an offence under Part 1 of the Sexual Offences (Scotland) Act 2009 or rape at common law in Scotland, an offence under the Sexual Offences (Northern Ireland) Order 2008, or an offence of attempting, conspiring in, encouraging or assisting, or aiding, abetting, counselling or procuring the commission of, such an offence;

"relevant authority" means a relevant prosecutor, the chief officer of any United Kingdom police force (including the Ministry of Defence Police), the Provost Marshal of any service police force, the Director of Service Prosecutions, or a person acting under the direction and control of any of them;

"relevant prosecutor" means the Director of Public Prosecutions in relation to England and Wales, the Lord Advocate in relation to Scotland, and the Director of Public Prosecutions for Northern Ireland in relation to Northern Ireland."

(2) In section 11 of VFA 1952 (evidence), after subsection (8) (inserted by section 42) insert—

"(9) This section is subject to section 3A(7).""

Clause 49

LORD PARKINSON OF WHITLEY BAY

52★ Clause 49, page 69, line 36, at end insert—

"(8) After section 230(1) of the Merchant Shipping Act 1995 (salvage claims against the Crown and Crown rights of salvage and regulation thereof) insert—

"(1A) Subsection (1) does not apply to any vessel, including Royal Fleet Auxiliary vessels, cargo or equipment which has sunk or been stranded while in military service.""

Member's explanatory statement
This amendment amends section 230 of the Merchant Shipping Act 1995, so that subsection (1) does not apply to military or Royal Auxiliary Fleet vessels.

After Clause 51

BARONESS SMITH OF NEWNHAM

53 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.

LORD CRAIG OF RADLEY
BARONESS PENN

54 After Clause 51, insert the following new Clause—

"Removal of immigration fees for non-UK family members

(1) The Secretary of State must make provision under the Immigration and Nationality (Fees) Regulations 2018 (S.I. 2018/330) for the waiving of fees for indefinite leave to remain in a case where the application is made by a person who is a spouse or

child of a member, or previously serving member, of the armed forces who has served for four or more years.

(2) Within six months of the day on which this Act is passed, the Secretary of State must lay before Parliament a report setting out—

(a) discussions held with the Home Office and HM Treasury regarding implementation of subsection (1),

(b) the estimated cost of waiving such fees, and

(c) a timetable for implementation."

Member's explanatory statement

This new clause seeks to require the Government to waive indefinite leave to remain fees for spouses and children of serving and former armed forces personnel who have completed at least four years' service. It would also require a report to Parliament on discussions with the Home Office and HM Treasury regarding funding of the policy within six months of Royal Assent.

BARONESS PENN
BARONESS BENNETT OF MANOR CASTLE

55 After Clause 51, insert the following new Clause—

"Occupational paternity leave and pay

Within six months of the day on which this Act is passed, the Secretary of State must amend the Armed Forces Occupational Paternity Leave Scheme to—

(a) extend the paternity leave entitlement of service personnel to six weeks, and

(b) specify that the six weeks of paternity leave is fully paid."

BARONESS GOLDIE
THE EARL OF MINTO

56 After Clause 51, insert the following new Clause—

"Overseas operations and the European Convention on Human Rights

(1) The Human Rights Act 1998 is amended as follows.

(2) For section 7A (limitation: overseas forces proceedings) substitute—

"7A No proceedings for overseas operations

(1) No proceedings may be brought under section 7(1) in respect of any overseas operations by His Majesty's forces.

(2) "Overseas operations" means any operations outside the British Islands, including peacekeeping operations and operations for dealing with terrorism, civil unrest or serious public disorder, in the course of which members of His Majesty's forces come under attack or face the threat of attack or violent resistance.

(3) "His Majesty's forces" has the same meaning as in the Armed Forces Act 2006 (see section 374 of that Act).

(4) A member of His Majesty's forces who has been deployed on an overseas operation under this Act may not be subject to the provisions of the European Convention on Human Rights for the duration of that deployment."

(3) After section 14, insert—

"14A Overseas operations and the European Convention on Human Rights

(1A) Where the Secretary of State considers that any overseas operation is, or is likely to be, significant, the Secretary of State must authorise for the United Kingdom to make a derogation under Article 15(1) of the Convention.

(2) In this section "overseas operations" has the same meaning as in section 7A.

(3) For the avoidance of doubt, any member of His Majesty's Forces who is deployed on an overseas operation is subject to the Law of Armed Conflict.""

Member's explanatory statement
This new clause would make provision for the members of the regular or reserve forces who have been deployed under this Act to be exempt from the European Convention on Human Rights for that period of deployment.

BARONESS SMITH OF NEWNHAM

57 After Clause 51, insert the following new Clause—

"Reporting on the Defence Investment Plan

(1) Every six months after the day on which this Act is passed for the duration of this Parliament, and every year thereafter, the Secretary of State must publish a report on the implementation of the Defence Investment Plan.

(2) The Secretary of State must lay a copy of each report under subsection (1) before each House of Parliament."

Member's explanatory statement
This new clause would compel the Government to publish and lay before Parliament a regular report on the implementation of the Defence Investment Plan every six months during this Parliament, and annually thereafter.

Clause 54

LORD COAKER

58 Clause 54, page 71, line 9, at end insert—

"(3A) Section (*Impersonation etc: members of service police force (England and Wales and Scotland)*) extends to England and Wales and Scotland."

Member's explanatory statement
This amendment would provide for clause (Impersonation etc: members of service police force (England and Wales and Scotland)) to extend to England and Wales and Scotland.

LORD COAKER

59 Clause 54, page 71, line 13, at end insert—

"(ba) section (*Impersonation etc: members of service police force (Northern Ireland)*);"

Member's explanatory statement
This clause would provide for clause (Impersonation etc: members of service police force (Northern Ireland)) to extend to Northern Ireland only.

Clause 56

BARONESS SMITH OF NEWNHAM

60 Clause 56, page 72, line 25, at end insert—

"(ba) section (*Military homes standard*),"

Member's explanatory statement
This amendment is consequential on another amendment in the name of Baroness Smith of Newnham.

Armed Forces Bill

MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
ON REPORT

16 October 2026

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