

AWARDS FOR VALOUR (PROTECTION) BILL [HL]

EXPLANATORY NOTES

What these notes do

These Explanatory Notes relate to the Awards for Valour (Protection) Bill [HL] as introduced in the House of Lords on 12 July 2017 (HL Bill 56).

- These Explanatory Notes were originally published on 22 November 2016 on behalf of Gareth Johnson MP when the Bill was introduced in the House of Commons. These Notes have been updated and republished by Lord Brooke of Alverthorpe, the Peer in charge of this Bill, in order to assist the reader of the Bill and to help inform debate on it. They do not form part of the Bill and have not been endorsed by Parliament as a whole.
- These Explanatory Notes explain what each part of the Bill will mean in practice and provide background information on the development of policy.
- These Explanatory Notes are best read alongside the Bill. They are not, and are not intended to be, a comprehensive description of the Bill.

Overview of the Bill

- 1 This Bill makes it a criminal offence to wear or display in public medals or insignia awarded for valour if not entitled to do so and with the intent to deceive.

Policy background

- 2 Since 2009 it has not been an offence for an individual to wear medals or insignia that they were never awarded. This change in the law was a result of the enactment of the Armed Forces Act 2006, which repealed section 197 of the Army Act 1955 and section 197 of the Air Force Act 1955 in which the offence was specified.¹
- 3 Under the Fraud Act 2006 it is still an offence to make, or attempt to make a financial gain by fraudulently wearing uniforms or medals, or by pretending to be or have been in the Armed Forces. The offence carries a maximum penalty of 10 years' imprisonment.

Commentary on provisions of Bill

Clause 1: Offence of wearing awards with the intent to deceive

- 4 Clause 1 makes it an offence for a person to wear any award specified in Schedule 1 with the intention to deceive others into believing that he or she has been awarded them and is entitled to wear them.
- 5 Subsection (2) defines the wearing of an award as the wearing of anything representing an award, including a cross, ribbon, bar, rosette or emblem.
- 6 Subsection (3) provides that a person on conviction of the offence under subsection (1) would be liable to a period of imprisonment not exceeding 3 months or a fine.
- 7 Subsection (4) provides that the Secretary of State may by regulations amend Schedule 1 to add, remove or amend descriptions of the awards covered by this Bill. Subsection (5) specifies that awards added to the Schedule must be for acts of gallantry or involvement in campaigns or operations which present a risk of danger to life. Subsections (6) and (7) specify that such regulations must be made by statutory instrument and be approved by both Houses of Parliament.

Clause 2: Extent, commencement and short title

- 8 Clause 2 is self-explanatory.

Schedule 1: Awards

- 9 Schedule 1 lists all the awards which come under this Act.

¹ See ['Stolen Valour': An international comparison](#), House of Commons Library Briefing Paper no. 7750, 31 October 2016.

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