
STATUTORY INSTRUMENTS

2008 No. 1694

**The Armed Forces (Alignment of
Service Discipline Acts) Order 2008**

Referral of charge to commanding officer

21.—(1) Section 52II of the 1957 Act⁽¹⁾ (referral of charge or case to commanding officer) is amended as follows.

(2) For the sidenote substitute “Referral of case to commanding officer”.

(3) Omit subsections (1) and (2).

(4) For subsection (3) substitute—

“(3) Where a case is referred to a commanding officer under this section, he shall deal with such charge as he considers appropriate in relation to the case as if it had been reported to him under section 52B(1) of this Act.

(4) Where part of a case is referred to a commanding officer under this section, he shall deal with such charge as he considers appropriate in relation to that part of the case as if it had been reported to him under section 52B(1) of this Act.”

(1) Section 52II of the 1957 Act was inserted by the Armed Forces Discipline Act 2000, Schedule 2, paragraph 4, and amended by the Armed Forces Act 2001, Schedule 1, paragraph 14.