

SCHEDULES

SCHEDULE 3

STANDING CIVILIAN COURTS

Accused unfit

- 6 (1) Where it appears to the court that a person—
- (a) is unfit to stand his trial, or
 - (b) committed the acts or omissions constituting the offence with which he is charged, but was insane at the time when he committed them,
- the court shall adjourn the hearing and report the matter in the prescribed manner to the directing officer.
- (2) The directing officer shall—
- (a) exercise any power conferred on higher authority by section 80 of the Army Act 1955 ; or
 - (b) take the prescribed steps with a view to his being tried by court-martial; or
 - (c) where the hearing was adjourned by virtue of sub-paragraph (1)(a) above and it appears to the directing officer that the person in question is fit to stand his trial, refer the charge back to the court to continue the hearing.
- (3) For purposes of this paragraph " unfit to stand his trial" means under any disability such as apart from the Criminal Procedure (Insanity) Act 1964 would constitute a bar to a trial on indictment in England or Wales.