

Status: Point in time view as at 02/10/2000.

Changes to legislation: There are currently no known outstanding effects for the Armed Forces Discipline Act 2000 (repealed). (See end of Document for details)

SCHEDULES

SCHEDULE 1

Section 10.

AMENDMENTS OF 1955 ACTS AND 1957 ACT RELATING TO CUSTODY

Army Act 1955 (c.18) and Air Force Act 1955 (c.19)

- 1 (1) In section 57 of the Army Act 1955 (offences in relation to court-martial) after subsection (3) there is inserted—
- “(4) References in paragraphs (a) to (f) of subsection (1) of this section to a court-martial or to a member of a court-martial include references to a judicial officer or a person appointed under section 75L of the Air Force Act 1955 or section 47M of the Naval Discipline Act 1957 and, in relation to an offence committed in relation to a judicial officer or any person so appointed, that subsection shall have effect as if the words “other than the court in relation to which the offence was committed” were omitted.
- (5) In relation to an offence committed in relation to a judicial officer, subsection (2) of this section shall have effect as if—
- (a) the references to a court-martial held in pursuance of this Act were references to the judicial officer,
 - (b) for “another court-martial” there were substituted “a court-martial”, and
 - (c) the words “under the hand of the president” were omitted.”
- (2) In section 57 of the Air Force Act 1955 (offences in relation to court-martial) after subsection (3) there is inserted—
- “(4) References in paragraphs (a) to (f) of subsection (1) of this section to a court-martial or to a member of a court-martial include references to a judicial officer or a person appointed under section 75L of the Army Act 1955 or section 47M of the Naval Discipline Act 1957 and, in relation to an offence committed in relation to a judicial officer or a person so appointed, that subsection shall have effect as if the words “other than the court in relation to which the offence was committed” were omitted.
- (5) In relation to an offence committed in relation to a judicial officer, subsection (2) of this section shall have effect as if—
- (a) the references to a court-martial held in pursuance of this Act were references to the judicial officer,
 - (b) for “another court-martial” there were substituted “a court-martial”, and
 - (c) the words “under the hand of the president” were omitted.”
- 2 In section 82(1) of each of the 1955 Acts (meaning of “commanding officer”) after “charged with” there is inserted “, or in custody in connection with, ”.

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- 3 Section 101 of each of the 1955 Acts (offences by civilians in relation to courts-martial) is renumbered as subsection (1) of that section and at the end of that provision there is inserted—

“(2) In subsection (1) of this section references in paragraphs (a) to (g) to a court-martial or to a member of a court-martial include references to a judicial officer and, in relation to an offence committed in relation to a judicial officer—

- (a) the reference to the president of the court-martial is a reference to the judicial officer, and
 (b) the reference to a court-martial held outside the United Kingdom is a reference to the judicial officer sitting outside the United Kingdom.”

- 4 (1) Section 209(3) of each of the 1955 Acts (application of Act to civilians) is amended as follows.

- (2) After paragraph (c) there is inserted—

- “(ca) section 75J(2)(b) above shall have effect with the omission of the words from the beginning to “of this Act”;
 (cb) section 75K(6) above shall have effect with the omission of paragraph (a);”

- (3) In paragraph (f) after “relating to” there is inserted “ custody and ”.

- 5 (1) In section 225(1) of the Army Act 1955 (general provisions as to interpretation)—

- (a) the definition of “arrest” is omitted,
 (b) after the definition of “the judge advocate” there is inserted—

““judicial officer” means a person appointed under section 75L of this Act;”,

and

- (c) after the definition of “regular forces” there is inserted—

““the relevant time” in relation to a person arrested under section 74 of this Act, means the time of the arrest;”.

- (2) In section 223(1) of the Air Force Act 1955 (general provisions as to interpretation)

- (a) the definition of “arrest” is omitted,
 (b) after the definition of “the judge advocate” there is inserted—

““judicial officer” means a person appointed under section 75L of this Act;”,

and

- (c) after the definition of “regular air force” there is inserted—

““the relevant time” in relation to a person arrested under section 74 of this Act, means the time of the arrest;”.

Naval Discipline Act 1957 (c.53)

- 6 In section 38 of the 1957 Act (offences in relation to courts-martial) after subsection (3C) there is inserted—

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“(4) References in paragraphs (a) to (f) of subsection (1) of this section to a court-martial or to a member of a court-martial include references to a judicial officer or a person appointed under section 75L of the Army Act 1955 or section 75L of the Air Force Act 1955 and, in relation to an offence committed in relation to a judicial officer, subsection (3) of this section shall have effect as if—

(a) references to a court-martial were references to the judicial officer, and

(b) the words “under the hand of the president” were omitted.”

7 Section 46 of the 1957 Act is omitted.

8 (1) Section 52E of the 1957 Act (commanding officers) is amended as follows.

(2) In subsection (1)—

(a) after “charged with” there is inserted “, or in custody in connection with”, and

(b) after “the offence” there is inserted “, while he is in custody in connection with it”.

(3) In subsection (2)(a) for “an accused” there is substituted “a person charged with, or in custody in connection with, an offence”.

(4) After subsection (3) there is inserted—

“(3A) Subsection (2)(b) above is without prejudice to section 47F(1)(a) of this Act.”

9 In section 65 of the 1957 Act (contempt of court-martial by civilians) after subsection (5) there is inserted—

“(6) References in subsections (1) and (3) above to a court-martial or its president include references to a judicial officer.”

10 In section 116 of the 1957 Act (application to deserters etc. from Commonwealth and colonial naval forces) in subsection (1) after “arrest” there is inserted “, custody”.

11 In section 135(1) of the 1957 Act (general interpretation)—

(a) in the definition of “the commanding officer” after “charged with” there is inserted “, or in custody in connection with”,

(b) after the definition of “the judge advocate” there is inserted—

““judicial officer” means a person appointed under section 47M of this Act;”,

and

(c) after the definition of “Queen’s Regulations” there is inserted—

““the relevant time” in relation to a person arrested under section 45 of this Act, means the time of the arrest;”.

12 After paragraph 3 of Schedule 4 to the 1957 Act (application of Act to certain civilians) there is inserted—

“3A In relation to persons to whom Part II of this Act applies by virtue of section 118 of this Act, sections 47A to 47E of this Act shall have effect

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with the substitution of references to paragraph 3 of this Schedule for references to section 45 of this Act.

- 3B In relation to such persons—
- (a) section 47K(2)(b) of this Act shall have effect with the omission of the words from the beginning to “(5) of this Act”, and
 - (b) section 47L(6) of this Act shall have effect with the omission of paragraph (a).”

SCHEDULE 2

Section 13.

FUNCTIONS OF PROSECUTING AUTHORITY

General functions of prosecuting authority

- 1 (1) In section 83B of each of the 1955 Acts (functions of the prosecuting authority), in subsection (2), for the words from “to record” to the end there is substituted “ to deal summarily with the preliminary charge ”.
- (2) In subsection (3) of that section, for the words from “for which” to the end there is substituted “ which would have been dealt with summarily had the accused not elected court-martial trial ”.
- (3) In subsection (4) of that section—
- (a) in paragraph (a), for “subsection (5) below” there is inserted “ subsection (5) below and section 83BB of this Act) ”, and
 - (b) in paragraph (b), at the beginning there is inserted “ (subject to section 83BB of this Act) ”.
- (4) After subsection (9) of that section there is inserted—
- “(9A) If the case has been referred to the prosecuting authority as a result of an election for court-martial trial, the prosecuting authority may not—
- (a) determine under subsection (4)(a) above that a charge different from that in respect of which the election was made is to be preferred, or
 - (b) exercise any power mentioned in subsection (8)(a) or (b) above in relation to any charge against the accused before the commencement of the trial,
- unless the accused has given his written consent or the charge is being referred under section 83BB of this Act.”
- (5) For subsection (13) of that section there is substituted—
- “(13) If the prosecuting authority—
- (a) decides not to prefer any charge referred to him, or
 - (b) before the commencement of the trial of any charge preferred by him, discontinues proceedings on that charge,
- he may direct that, for the purposes of section 134 of this Act, the accused is to be deemed to have been tried by court-martial for the offence charged.”
- 2 (1) In section 52I of the 1957 Act (functions of prosecuting authority), in subsection (4) after “and” there is inserted “ (subject to section 52II of this Act) ”.

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(2) After subsection (8) of that section there is inserted—

“(8A) If the case has been referred to the prosecuting authority as a result of an election for court-martial trial, the prosecuting authority may not—

- (a) determine under subsection (4) above that a charge different from that in respect of which the election was made is to be preferred, or
- (b) exercise any power mentioned in subsection (7)(a) or (b) above in relation to any charge against the accused before the commencement of the trial,

unless the accused has given his written consent or the charge is being referred under section 52II of this Act.”

(3) For subsection (12) of that section there is substituted—

“(12) If the prosecuting authority—

- (a) decides not to prefer any charge referred to him, or
- (b) before the commencement of the trial of any charge preferred by him, discontinues proceedings on that charge,

he may direct that the accused shall not be liable to be tried summarily or by court-martial for the offence charged.”

Cases where charge may be referred back to commanding officer

3 After section 83B of each of the 1955 Acts there is inserted—

“83BB Cases where charge may be referred back to commanding officer.

(1) Where—

- (a) a case has been referred to the prosecuting authority as a result of an election for court-martial trial, and
- (b) the prosecuting authority considers that a charge different from, or additional to, the preliminary charge should be preferred,

the prosecuting authority may refer back to the commanding officer of the accused the charge or charges which the prosecuting authority considers should be preferred.

(2) In subsection (1) above—

- (a) “the preliminary charge” means the charge which would have been dealt with summarily had the accused not elected court-martial trial, and
- (b) the reference to preferring a charge different from, or additional to, the preliminary charge includes a reference to amending, or substituting another charge for, a charge already preferred.

(3) Where a charge is referred to a commanding officer under subsection (1) above, the commanding officer shall deal with the charge as if it had been reported to him under section 76(1) of this Act.”

4 After section 52I of the 1957 Act there is inserted—

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“52II Cases where charge may be referred back to commanding officer.

(1) Where—

- (a) a case has been referred to the prosecuting authority as a result of an election for court-martial trial, and
- (b) the prosecuting authority considers that a charge different from, or additional to, the preliminary charge should be preferred,

the prosecuting authority may refer back to the commanding officer of the accused the charge or charges which the prosecuting authority considers should be preferred.

(2) In subsection (1) above—

- (a) “the preliminary charge” means the charge which would have been tried summarily had the accused not elected court-martial trial, and
- (b) the reference to preferring a charge different from, or additional to, the preliminary charge includes a reference to amending, or substituting another charge for, a charge already preferred.

(3) Where a charge is referred to a commanding officer under subsection (1) above, the commanding officer shall deal with the charge as if it had been reported to him under section 52B(1) of this Act.”

Power to make provision for cases where election relates to two or more charges

5 In section 103 of each the 1955 Acts (rules), after subsection (3) there is inserted—

“(3A) Rules under this section may make provision as to the application of sections 83B and 83BB of this Act in relation to cases where an election for court-martial trial relates to two or more charges.”

6 In section 58 of the 1957 Act (rules), after subsection (3) there is inserted—

“(3A) Rules under this section may make provision as to the application of sections 52I and 52II of this Act in relation to cases where an election for court-martial trial relates to two or more charges.”

SCHEDULE 3

Section 25.

AMENDMENTS OF 1955 ACTS AND 1957 ACT RELATING TO SUMMARY APPEAL COURTS

Offences in relation to summary appeal court

1 In section 57 of the ^{M1}Army Act 1955 (offences in relation to court-martial) after subsection (5) there is inserted—

“(6) References in paragraphs (a) to (f) of subsection (1) of this section to a court-martial include references to the summary appeal court, the court established by section 83ZA of the Air Force Act 1955 or the court established by section 52FF of the Naval Discipline Act 1957 and, in relation to an offence committed in relation to any of those courts, that subsection shall have effect

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as if the words “other than the court in relation to which the offence was committed” were omitted.

- (7) In relation to an offence committed in relation to the summary appeal court, subsection (2) of this section shall have effect as if—
- (a) the reference to a court-martial held in pursuance of this Act were a reference to the summary appeal court,
 - (b) for “another court-martial” there were substituted “a court-martial”, and
 - (c) for “the president” there were substituted “the judge advocate”.

Marginal Citations

M1 1955 c. 18.

- 2 In section 57 of the ^{M2}Air Force Act 1955 (offences in relation to court-martial) after subsection (5) there is inserted—

“(6) References in paragraphs (a) to (f) of subsection (1) of this section to a court-martial include references to the summary appeal court, the court established by section 83ZA of the Army Act 1955 or the court established by section 52FF of the Naval Discipline Act 1957 and, in relation to an offence committed in relation to any of those courts that subsection shall have effect as if the words “other than the court in relation to which the offence was committed” were omitted.

- (7) In relation to an offence committed in relation to the summary appeal court, subsection (2) of this section shall have effect as if—
- (a) the reference to a court-martial held in pursuance of this Act were a reference to the summary appeal court,
 - (b) for “another court-martial” there were substituted “a court-martial”, and
 - (c) for “the president” there were substituted “the judge advocate”.

Marginal Citations

M2 1955 c. 19.

- 3 In section 38 of the 1957 Act (offences in relation to courts-martial) after subsection (4) there is inserted—

“(5) References in paragraphs (a) to (f) of subsection (1) of this section to a court-martial include references to the summary appeal court, the court established by section 83ZA of the Army Act 1955 or the court established by section 83ZA of the Air Force Act 1955 and, in relation to an offence committed in relation to the summary appeal court, subsection (3) of this section shall have effect as if the reference to a court-martial were a reference to the summary appeal court.”

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Rules about election for immediate commencement of sentence

4 In section 83 of each of the 1955 Acts (regulations as to summary dealings etc.) in subsection (2) after paragraph (g) there is inserted—

“(gg) the procedure for making elections under section 118ZA(2) of this Act and withdrawing such elections;”.

5 In section 52F of the 1957 Act (regulations about summary dealings etc.) in subsection (2) after paragraph (g) there is inserted—

“(gg) the procedure for making elections under section 85A(2) of this Act and withdrawing such elections;”.

Offences by civilians in relation to summary appeal court

6 In section 101 of each of the 1955 Acts (offences by civilians in relation to courts-martial) after subsection (2) there is inserted—

“(3) In subsection (1) of this section references in paragraphs (a) to (g) to a court-martial include references to the summary appeal court and, in relation to an offence committed in relation to that court—

(a) the reference to the president of the court-martial is a reference to the judge advocate in relation to the summary appeal court, and

(b) the reference to a court-martial held outside the United Kingdom is a reference to the summary appeal court sitting outside the United Kingdom.”

7 In section 65 of the 1957 Act (contempt of court-martial by civilians) after subsection (4) there is inserted—

“(5) References in subsections (1) and (3) above to a court-martial include references to the summary appeal court.”

Commencement and suspension of sentences

8 In section 118 of each of the 1955 Acts (commencement of sentences) in subsection (1)—

(a) after “detention” there is inserted “ awarded by a court-martial ”, and

(b) the words from “or, as the case may be” onwards are omitted.

9 After section 118 of each of the 1955 Acts there is inserted—

“118ZA Commencement of sentence of detention awarded by commanding officer.

(1) Subject to the following provisions of this Part of this Act, subsections (2) to (4) below apply to a sentence of detention awarded by the offender’s commanding officer.

(2) If the offender so elects at the time of the award, his sentence shall begin to run from the day on which it is awarded.

(3) If the offender does not make an election under subsection (2) above or, having made such an election, withdraws it during the appeal period, his sentence or, in the case of withdrawal, the remainder of his sentence shall be suspended by virtue of this subsection—

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- (a) until the end of the appeal period, or
 - (b) where an appeal is brought within the appeal period, until the determination of the appeal.
- (4) Where an appeal is brought—
- (a) within the appeal period, by an offender who has made an election under subsection (2) above which has not been withdrawn, or
 - (b) after the end of the appeal period, by any offender,
- the remainder of his sentence shall be suspended by virtue of this subsection until the determination of the appeal.
- (5) In this section “the appeal period” means the period within which an appeal may be brought under section 83ZE(2) of this Act.”
- 10 (1) Section 85 of the 1957 Act (commencement of sentences) is amended as follows.
- (2) In subsection (1) for “under this Act” there is substituted “ by a court-martial ”.
- (3) Subsection (2) is omitted.
- 11 After section 85 of the 1957 Act there is inserted—

“85A Sentence of detention awarded on summary trial.

- (1) Subject to the following provisions of this Part of this Act, subsections (2) to (5) below apply to a sentence of detention awarded on summary trial.
- (2) If the offender so elects at the time of the award, his sentence shall begin to run from the day on which it is awarded.
- (3) For the purposes of subsection (2) above, a sentence shall be taken to be awarded on the day on which the warrant specifying the sentence, as approved in accordance with regulations made by the Defence Council, is read to the offender or, if the offender has been detained in custody since the signature of that warrant by the officer by whom he was tried, on the first day on which he was so detained.
- (4) If the offender does not make an election under subsection (2) above or, having made such an election, withdraws it during the appeal period, his sentence or, in the case of withdrawal, the remainder of his sentence shall be suspended by virtue of this subsection—
 - (a) until the end of the appeal period, or
 - (b) where an appeal is brought within the appeal period, until the determination of the appeal.
- (5) Where an appeal is brought—
 - (a) within the appeal period, by an offender who has made an election under subsection (2) above which has not been withdrawn, or
 - (b) after the end of the appeal period, by any offender,the remainder of his sentence shall be suspended by virtue of this subsection until the determination of the appeal.
- (6) In this section “the appeal period” means the period within which an appeal may be brought under section 52FK(2) of this Act.”

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Consecutive terms of detention

12 In section 118A of each of the 1955 Acts (consecutive terms of imprisonment and detention) after subsection (2) there is inserted—

“(2A) Where on awarding a sentence of detention (“the subsequent sentence”) the offender’s commanding officer orders under subsection (2) of this section that the subsequent sentence is to begin to run from the expiry of another sentence (“the current sentence”)—

- (a) section 118ZA of this Act shall have effect in relation to the subsequent sentence as if the reference in subsection (2) of that section to the day on which the sentence is awarded were a reference to the expiry of the current sentence, and
- (b) where the suspension of a sentence by virtue of subsection (3) or (4) of that section would end before the expiry of the current sentence, the sentence shall run from the expiry of the current sentence.”

13 In section 86 of the 1957 Act (consecutive terms of imprisonment and detention) after subsection (2) there is inserted—

“(2A) Where on awarding a sentence of detention (“the subsequent sentence”) the offender’s commanding officer orders under subsection (2) of this section that the subsequent sentence is to begin to run from the expiry of another sentence (“the current sentence”)—

- (a) section 85A of this Act shall have effect in relation to the subsequent sentence as if the reference in subsection (2) of that section to the day on which the sentence is awarded were a reference to the expiry of the current sentence, and
- (b) where the suspension of a sentence by virtue of subsection (4) or (5) of that section would end before the expiry of the current sentence, the sentence shall run from the expiry of the current sentence.”

Limitation of total period of sentences of detention

14 In section 119A of each of the 1955 Acts (duration of sentence of imprisonment and detention) after subsection (2) there is inserted—

“(2A) Where the whole or part of a sentence of detention is suspended by virtue of section 118ZA(3) or (4) of this Act, any period of detention ending with the beginning of the suspension shall be taken for the purposes of subsection (1) above to be continuous with any period of detention beginning with the end of the suspension.”

15 In section 89 of the 1957 Act (limitation of total period of sentences of detention) after subsection (2) there is inserted—

“(2A) Where the whole or part of a sentence of detention is suspended by virtue of section 85A(4) or (5) of this Act, any period of detention ending with the beginning of the suspension shall be taken for the purposes of subsection (1) above to be continuous with any period of detention beginning with the end of the suspension.”

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Persons ceasing to be subject to service law

- 16 In section 131 of each of the 1955 Acts (trial and punishment of offences under service law notwithstanding offender ceasing to be subject to service law), in subsection (1) after the words “summary dealing with charges” there is inserted “ (including appeals against findings recorded, or punishments awarded, on summary dealing) ”.

Civilians

- 17 In subsection (3) of section 209 of each of the 1955 Acts (application of Act to civilians), after paragraph (faa) there is inserted—
- “(fab) where the summary appeal court hears an appeal brought by any such person as is mentioned in subsection (1) or (2) above and the court would otherwise include two officers qualified under section 83ZC of this Act for membership of the court, the court may include in place of either or both of them a corresponding number of persons who are in the service of the Crown and are persons such as are mentioned in subsection (1) or (2) above,
 - (fac) references in Part II of this Act to the officers qualified under section 83ZC for membership of the summary appeal court shall be construed as including references to persons who are members of that court by virtue of paragraph (fab) above.”
- 18 In Schedule 4 to the 1957 Act (application of Act to certain civilians) after paragraph 4B there is inserted—
- “4C (1) Where the summary appeal court hears an appeal brought by any person to whom this Act applies by virtue of section 118 of this Act and the court would otherwise include two officers qualified under section 52FH of this Act for membership of the court, the court may include in place of either or both of them a corresponding number of persons who are in the service of the Crown and are persons to whom this Act applies by virtue of section 118.
 - (2) References in Part II of this Act to the officers qualified under section 52FH for membership of the summary appeal court shall be construed as including references to persons who are members of that court by virtue of sub-paragraph (1) of this paragraph.”

Review of summary findings and awards

- 19 (1) Section 115 of each of the 1955 Acts (review of summary findings and awards) is amended as follows.
- (2) Subsection (2) is omitted.
 - (3) In subsection (3), the word “other” is omitted.
 - (4) After subsection (5) there is inserted—
- “(5A) Where—
 - (a) the period of fourteen days referred to in subsection (2) of section 83ZE of this Act has expired, and
 - (b) no appeal has been brought under that section,

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the authority carrying out a review under this section may, with the leave of the summary appeal court, refer the finding or any punishment awarded (or both) to that court to be considered by it as on an appeal.

(5B) Where an appeal has been brought under section 83ZE of this Act and it appears to the authority carrying out a review under this section, on consideration of matters appearing to him not to have been brought to the notice of the summary appeal court on the appeal, to be expedient to do so, he may, with the leave of the summary appeal court, refer the finding or any punishment awarded (or both), including any finding or punishment substituted or awarded by the summary appeal court, to that court to be considered or reconsidered by that court as on an appeal.

(5C) A reference to the summary appeal court under subsection (5A) or (5B) of this section shall for the purposes of this Act be treated as an appeal brought by the person to whom the finding or punishment relates against the finding or punishment.

(5D) In a case where exceptionally the authority carrying out a review under this section of a finding considers it necessary to do so, the authority may quash that finding and, if the punishment relates only to that finding, quash the punishment awarded in consequence of that finding.

(5E) The powers conferred by subsection (5D) of this section are exercisable whether or not the conditions in subsection (5A)(a) and (b) are satisfied.”

(5) Subsections (6) and (7) are omitted.

20 (1) Section 71B of the 1957 Act (review of summary findings and awards) is amended as follows.

(2) Subsection (2) is omitted.

(3) In subsection (3)—

- (a) for “sentence” there is substituted “ punishment ”, and
- (b) the word “other” is omitted.

(4) After subsection (5) there is inserted—

“(5A) Where—

- (a) the period of fourteen days referred to in subsection (2) of section 52FK of this Act has expired, and
- (b) no appeal has been brought under that section,

the authority carrying out a review under this section may, with the leave of the summary appeal court, refer the finding or any punishment awarded (or both) to that court to be considered by it as on an appeal.

(5B) Where an appeal has been brought under section 52FK of this Act and it appears to the authority carrying out a review under this section, on consideration of matters appearing to him not to have been brought to the notice of the summary appeal court on the appeal, to be expedient to do so, he may, with the leave of the summary appeal court, refer the finding or any punishment awarded (or both), including any finding or punishment substituted or awarded by the summary appeal court, to that court to be considered or reconsidered by that court as on an appeal.

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(5C) A reference to the summary appeal court under subsection (5A) or (5B) of this section shall for the purposes of this Act be treated as an appeal brought by the person to whom the finding or punishment relates against the finding or punishment.

(5D) In a case where exceptionally the authority carrying out a review under this section of a finding considers it necessary to do so, the authority may quash that finding and, if the punishment awarded relates only to that finding, quash the punishment awarded in consequence of that finding.

(5E) The powers conferred by subsection (5D) of this section are exercisable whether or not the conditions in subsection (5A)(a) and (b) are satisfied.”

(5) Subsections (6) and (7) are omitted.

Relations between service law and civil courts

21 In section 133 of each of the 1955 Acts (powers of civil courts) in subsection (2) (c)—

(a) after “finding” there is inserted “ or award ”, and

(b) for the words from “, or the award” to the end there is substituted “ on review or quashed or varied by the summary appeal court. ”

22 In section 134 of each of the 1955 Acts (persons not to be tried under those Acts for offences already disposed of) in subsection (2)(c)—

(a) after “finding” there is inserted “ or award ”, and

(b) for the words from “, or the award” to the end of the paragraph there is substituted “ on review or quashed or varied by the summary appeal court; ”.

Meaning of “the summary appeal court”

23 In section 225(1) of the ^{M3}Army Act 1955 and in section 223(1) of the ^{M4}Air Force Act 1955 (general provisions as to interpretation), after the definition of “stoppages” there is inserted—

““the summary appeal court” means the court established by section 83ZA of this Act;”.

Marginal Citations

M3 1955 c. 18.

M4 1955 c. 19.

24 In section 135(1) of the 1957 Act (general interpretation), after the definition of “steals” there is inserted—

““the summary appeal court” means the court established by section 52FF of this Act;”.

Status: Point in time view as at 02/10/2000.

Changes to legislation: There are currently no known outstanding effects for the Armed Forces Discipline Act 2000 (repealed). (See end of Document for details)

SCHEDULE 4

Section 27.

REPEALS

Chapter	Short title	Extent of repeal
1955 c. 18.	The Army Act 1955.	<p>Section 76B(5), (6) and (8).</p> <p>In section 115, subsection (2), in subsection (3) the word “other”, and subsections (6) and (7).</p> <p>In section 118(1), the words from “or, as the case may be” onwards.</p> <p>Section 209(3B)(a).</p> <p>In section 225(1), the definition of “arrest”.</p>
1955 c. 19.	The Air Force Act 1955.	<p>Section 76B(5), (6) and (8).</p> <p>In section 115, subsection (2), in subsection (3) the word “other”, and subsections (6) and (7).</p> <p>In section 118(1), the words from “or, as the case may be” onwards.</p> <p>Section 209(3B)(a).</p> <p>In section 223(1), the definition of “arrest”.</p>
1957 c. 53.	The Naval Discipline Act 1957.	<p>Section 46.</p> <p>In section 71B, subsection (2), in subsection (3) the word “other”, and subsections (6) and (7).</p> <p>Section 85(2).</p> <p>Section 109(2).</p>
1966 c. 45.	The Armed Forces Act 1966.	Section 15(7).

Status:

Point in time view as at 02/10/2000.

Changes to legislation:

There are currently no known outstanding effects for the Armed Forces Discipline Act 2000 (repealed).