

*These notes refer to the Armed Forces Act 2006 (c.52)
which received Royal Assent on 8 November 2006*

ARMED FORCES ACT 2006

EXPLANATORY NOTES

COMMENTARY

First Group of Parts – Discipline

Part 10 – Court Martial Decisions: Appeal and Review

Chapter 2 – Review of Court Martial Sentence

Section 274: Reference of point of law to Supreme Court

536. This section applies where the CMAC has concluded its review of a case under section 273 (1). It allows the Attorney General or the offender to refer to the Supreme Court a point of law involved in any sentence passed in the proceedings. The reference cannot be made without leave of the CMAC or the Supreme Court and the conditions for granting leave are specified. When the Supreme Court has given its opinion on the point of law referred to it, it may then refer the case back to the CMAC to be dealt with, or deal with the case itself, in which case it may exercise any of the powers that would have been available to the CMAC.