



Armed Forces Act 2006

2006 CHAPTER 52

First Group of PartsDiscipline

PART 13

DISCIPLINE: MISCELLANEOUS AND SUPPLEMENTARY

CHAPTER 5

SUPPLEMENTARY

Other supplementary provisions

325 Evidential burden as respects excuses

- (1) This section applies to an offence under any of sections 1 to 41, 107, 229, 266 and 306 which is such that a person who would otherwise commit the offence—
 - (a) does not do so if he has a lawful excuse; or
 - (b) does not do so if he has a reasonable excuse.
- (2) In proceedings for an offence to which this section applies, the defendant is to be treated as not having had a lawful excuse or reasonable excuse (as the case may be) unless sufficient evidence is adduced to raise an issue as to whether he had such an excuse.