
Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

SCHEDULES

SECOND SCHEDULE

ADAPTATION OF ENACTMENTS

The Courts-Martial (Appeals) Act, 1951

14 & 15, Geo. 6. c. 46

- 15 (1) In section three, for paragraph (b) of subsection (3) there shall be substituted:—
- “(b) in the case of a conviction by an army court-martial, the Army Council; and
 - (c) in the case of a conviction by an air force court-martial, the Air Council”,
- and the proviso to that subsection shall be omitted.
- (2) In section six, in subsection (4) for the words " section one hundred and thirty of the Army Act or section one hundred and thirty of the Air Force Act " there shall be substituted the words " section one hundred and sixteen of the Army Act, 1955, or section one hundred and sixteen of the Air Force Act, 1955, " and for the words " on a special finding " there shall be substituted the words " on a finding " ; and in subsection (5) for the words " the Army Act or the Air Force Act " there shall be substituted the words " the Army Act, 1955, or the Air Force Act, 1955 ".
- (3) Section fifteen shall be omitted.
- (4) In section seventeen, for paragraphs (a) to (c) there shall be substituted the following paragraphs—
- “(a) section eighty-one of the Naval Discipline Act;
 - (b) section one hundred and twenty-one or one hundred and twenty-two of the Army Act, 1955;
 - (c) section one hundred and twenty-one or one hundred and twenty-two of the Air Force Act, 1955.”
- (5) In section twenty-four, for the words " the Army Act " and " the Air Force Act " wherever they occur there shall be substituted respectively the words " the Army Act, 1955 " and " the Air Force Act, 1955 ", in subsection (2) after the word " expression " there shall be inserted the word " on ", for the words " section one hundred and ninety " there shall be substituted, where they first occur, the words " section two hundred and twenty-four " and, where they last occur, the words " section two hundred and twenty-two ", and subsection (3) shall be omitted.
- (6) Notwithstanding anything in sub-paragraph (1) of this paragraph, a petition presented to the Secretary of State shall be treated for the purposes of section three as duly presented if the finding of the court-martial was promulgated before the appointed day ; and nothing in the last foregoing sub-paragraph shall affect the application of the Act to courts-martial held before that day.