SCHEDULE Rule 2

AMENDMENTS TO THE RULES OF PROCEDURE (AIR FORCE) 1972

1. In Rule 22(1)—

(a) for sub-paragraph (i) there shall be substituted the following sub-paragraph—

"(i) send to the president the convening order and, in any case in which a judge advocate has not been appointed—

(i) the first charge-sheet together with a copy of the summary or abstract of evidence from which any evidence which, in the opinion of the convening officer would be inadmissible under the Act at the court-martial, has been expurgated; and

(ii) the second and any subsequent charge-sheets together with a copy thereof for each member, waiting member and officer under instruction;";

(b) for sub-paragraph (j) there shall be substituted the following sub-paragraph—

"(j) in any case in which a judge advocate has not been appointed send to each member of the court and to each waiting member and any officer under instruction a copy of the first charge-sheet;";

(c) for sub-paragraph (1) there shall be substituted the following sub-paragraph—

"(1) send to the judge advocate (if any)—

(i) the first charge-sheet together with a copy thereof for the president, each member, waiting member and officer under instruction, and a copy of the convening order;

(ii) the second and any subsequent charge-sheets together with copies thereof for the president, each member, waiting member and officer under instruction; and

(iii) an unexpurgated copy of the summary or abstract of evidence and copies of the service record of the accused and the particulars referred to in Rule 71(3)(c);".

2. In Rule 26(1) at the beginning of sub-paragraph (g) there shall be inserted the words "if no judge advocate has been appointed,".

3. In Rule 41(1) after the word "with", there shall be inserted the following words—

"the judge advocate (if any) shall distribute to the president, members, waiting members and officers under instruction copies of the charge-sheet and thereafter".

4. After Rule 53 there shall be inserted the following Rule—

"**Evidence through a live television link**

53A.—(1) Application may be made to the court by the prosecutor or the accused for leave under section 32(1) of the Criminal Justice Act 1988 as applied with modifications for the purposes of proceedings before courts-martial by paragraph 8 of Schedule 13 to that Act and by the Criminal Justice Act 1988 (Application to Service Courts) (Evidence through Television Links) Order 1993, for evidence to be given through a live television link where—

(a) the witness is not in the country where the court is sitting; or

(b) the offence charged is one to which section 32(2) applies and the evidence is to be given by a witness who is either—

(i) in the case of an offence to which section 32(2)(a) or (b) applies, or which consists of attempting or conspiring to commit, or of aiding, abetting, counselling, procuring or inciting the commission of, an offence falling within section 32(2)(a) or (b), under the age of 14; or

(ii) in the case of an offence to which section 32(2)(c) applies, or which consists of attempting or conspiring to commit, or of aiding, abetting, counselling, procuring or inciting the commission of, an offence falling within section 32(2)(c), under the age of 17.

(2) A witness who is under the age of 14 shall, when giving evidence through a live television link, be accompanied by a person acceptable to the court and, unless the court otherwise directs, by no other person.".

5. In Rule 55 for paragraph (2) and the proviso thereto there shall be substituted the following paragraph—

"(2) If a person has been appointed in accordance with Rule 31A(1), it shall not be necessary to comply with paragraph (1) of this Rule.".

6. In Rule 71(3)(a) for the word "charged" there shall be substituted the words "of which the accused has been found guilty".

7. In Rule 81(1)—

(a) after sub-paragraph (a) there shall be inserted the following sub-paragraph—

"(aa) an accused before pleading to a charge objects to it on the ground that it is not correct in law or is not framed in accordance with these Rules; or";

(b) after sub-paragraph (b) there shall be inserted the following sub-paragraph—

"(bb) the prosecution wishes to withdraw a charge before the accused is arraigned thereon; or";

(c) after sub-paragraph (f) there shall be inserted the following sub-paragraph—

"(ff) an application is made for evidence to be given through a live television link; or";

(d) after sub-paragraph (h) there shall be inserted the following sub-paragraph—

"or

(i) a question of law or procedure arises, other than one specified in this paragraph, on which it appears to the judge advocate desirable that he should hear argument in the absence of the president and members of the court;".

8. In Rule 90(1) at the end there shall be inserted the following proviso—

"Provided that this paragraph shall not apply in relation to any witness whose particulars have been furnished by the accused in support of an alibi, in accordance with section 11 of the Criminal Justice Act 1967, as applied with modifications in relation to proceedings before courts-martial by the Courts-Martial (Evidence) Regulations 1967 and the Courts-Martial (Evidence) Regulations 1977".

9. In Schedule 1 (forms for commanding officers) in form (1) (DELAY REPORT), under the words "Date placed in arrest ... ... 19 ... ... " there shall be inserted the words "Date first charged on AFB 252 ... ... 19 ... ...".

10. In Schedule 5 (sentences) in entry (1) (SENTENCES)—

(a) under the heading "WARRANT OFFICERS AND NON-COMMISSIONED OFFICERS", at the end there shall be inserted—

"To be admonished (non-commissioned officers only).	Admonition.";

(b) under the heading "AIRMEN", at the end there shall be inserted—

"To be put under restriction of privilege for ... ... days *(not to exceed 14 days)*.	Restrictions of privileges.
To be admonished.	Admonition.".