
STATUTORY INSTRUMENTS

1997 No. 169

The Courts-Martial (Army) Rules 1997

PART II

PROSECUTION OF OFFENCES

Notification of trial

11.—(1) This rule applies where the commanding officer has been notified in respect of an accused under his command that the prosecutor has preferred a charge.

(2) As soon as is practicable after receipt of the prosecution papers, the commanding officer shall notify the accused that he is to be tried by court-martial.

(3) On notifying the accused in accordance with paragraph (2) above, the commanding officer shall serve the accused with—

- (a) the prosecution papers;
- (b) where so required by the prosecutor, a statement explaining the effect of section 11 of the Criminal Justice Act 1967⁽¹⁾ (notice of alibi) and a form for the accused's notice of alibi;
- (c) a form for notifying the court administration officer of the accused's legal adviser; and
- (d) a form for acknowledgement of receipt.

⁽¹⁾ 1967 c. 89; section 11 applies to proceedings before courts-martial by virtue of section 12 of the Criminal Justice Act 1967, subject to the modifications prescribed by the Criminal Justice Act 1967 (Application to Courts-Martial) (Evidence) Regulations 1997 (S.I.1997/173).