
STATUTORY INSTRUMENTS

1997 No. 169

The Courts-Martial (Army) Rules 1997

PART V

PROCEEDINGS AT COURT-MARTIAL

Severance

44.—(1) Where—

- (a) an accused is charged with more than one offence; or
- (b) two or more accused are charged in the same charge sheet;

and the judge advocate rules that the fair trial of an accused may be prejudiced if the charges are not severed or that for any other reason it is desirable that the charges are severed, he may—

- (i) order the court to try only one or more charges;
- (ii) order that the court to try only one or more accused;
- (iii) leave any charge or any accused to be tried by a new court.

(2) Where an accused is charged in more than one charge sheet and the judge advocate rules that for any reason it is desirable that the court tries only the charge or charges set out in one charge sheet, he may leave the charge or charges set out in any other charge sheet to be tried by a new court.