
STATUTORY INSTRUMENTS

2000 No. 2371

The Summary Appeal Court (Army) Rules 2000

**PART V
EVIDENCE**

Rules of evidence etc.

27.—(1) The following enactments, namely—

- (a) section 99(1) and (3) of the Act⁽¹⁾ (rules of evidence);
- (b) section 99A(1), (2) and (5) of the Act⁽²⁾ (proof by written statement);
- (c) section 12 of the Criminal Justice Act 1967⁽³⁾ (application of sections 10 and 11 of that Act to courts-martial);
- (d) section 113(12) of the Police and Criminal Evidence Act 1984⁽⁴⁾ (application of Parts VII and VIII of that Act to the armed forces);
- (e) paragraphs 1 to 6 of Schedule 13 to the Criminal Justice Act 1988⁽⁵⁾ (evidence before courts-martial etc.),

shall apply in relation to proceedings before the court as they apply in relation to proceedings before courts-martial under the Act, subject to the modifications referred to in paragraph (2).

(2) In relation to proceedings before the court—

- (a) the reference in section 99(1) of the Act to service modifications shall have effect as a reference to the provisions of this Part of these Rules;
- (b) the reference in section 99A(1) of the Act to service modifications shall have effect as a reference to the modifications to section 9 of the Criminal Justice Act 1967⁽⁶⁾ specified in Part I of Schedule 3;
- (c) the reference in section 12 of the Criminal Justice Act 1967 to such modifications as may be prescribed by the Secretary of State by regulations shall have effect as a reference to the modifications to sections 10 and 11 of that Act specified in Part II of Schedule 3; and
- (d) the reference in section 113(12) of the Police and Criminal Evidence Act 1984 to modifications which the Secretary of State may by order specify shall have effect as a

(1) Subsection (1) of section 99 was amended by the Armed Forces Act 1976 (c. 52), Schedule 5, paragraph 3; by the Police and Criminal Evidence Act 1984 (c. 60), Schedule 6, paragraph 28(2)(a); by the Armed Forces Act 1991 (c. 62), Schedule 2, paragraph 4; and by the Armed Forces Act 1996 (c. 46), Schedule 1, paragraph 29(2). Subsection (3) was amended by the Armed Forces Act 1996, Schedule 1, paragraph 29(3).

(2) Section 99A was inserted by the Armed Forces Act 1976, Schedule 5, paragraph 1.

(3) Section 12 was amended by the Armed Forces Act 1976, Schedule 5, paragraph 3 and by the Armed Forces Act 1996, Schedule 1, paragraph 99 and Schedule 7, Part I.

(4) 1984 c. 60.

(5) 1988 c. 33; Schedule 13 was amended by the Armed Forces Act 1996, Schedule 1, paragraph 109.

(6) Section 9 was amended by the Courts Act 1971 (c. 23), Schedule 8, paragraph 49; by the Criminal Justice and Public Order Act 1994 (c. 33), Schedule 9, paragraph 6(1); and by section 69 of the Criminal Procedure and Investigations Act 1996 (c. 25).

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reference to the modifications to Parts VII and VIII of that Act specified in Part III of Schedule 3.