

## SCHEDULE 1

Rules 7 and 8

### CHARGES AND JOINDER

#### PART 1

##### RULES

**1.—(1)** A charge sheet shall be in the form specified in Part 2 of this Schedule or in a form substantially to the like effect, and must contain in a paragraph called a “charge” —

(a) a statement of the offence charged that—

- (i) describes the offence in ordinary language;
- (ii) identifies any legislation that creates it; and

(b) such particulars of the conduct constituting the commission of the offence as to make clear what the prosecuting authority alleges against the accused.

**2.** More than one incident of the commission of the offence may be included in a charge if those incidents taken together amount to a course of conduct having regard to the time, place or purpose of commission.

**3.—(1)** An charge sheet may contain more than one charge if all the offences charged—

- (a) are found on the same facts; or
- (b) form or are a part of a series of offences of the same or similar character.

**4.** The charges must be numbered consecutively

**5.** Where an offence created by or under an enactment states the offence to be the doing or the omission to do any one of any different acts in the alternative, or the doing or the omission to do any act in any one of any different capacities, or with any one of any different intentions, or states any part of the offence in the alternative, the acts, omissions, capacities or intentions, or other matters stated in the alternative in the enactment or subordinate instrument may be stated in the alternative in a charge sheet charging the offence.

**6.** It shall be sufficient in a charge sheet to describe a person whose name is not known as a person unknown.

**7.** Where the offence charged is one which can be committed in circumstances involving either a higher or a lower degree of punishment, the charge shall state the facts which it is intended to prove as rendering the accused liable to the higher degree of punishment if convicted.

**8.** Where the offence charged is one which may render the accused liable to the punishment of stoppages, the charge shall state any additional facts which it is intended to prove as rendering the accused liable to that punishment if convicted.

**Status:** This is the original version (as it was originally made).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

## PART 2

### FORM

#### FOR TRIAL BY COURT-MARTIAL

THE QUEEN V .....

(introductory words)

charged as follows:-

(statement of offence and particulars of offence)

Date .....  
Prosecuting authority .....