
DRAFT STATUTORY INSTRUMENTS

2013 No.

The Armed Forces (Retrial for Serious Offences) Order 2013

PART 5

Application for Retrial

Appeals to the Supreme Court

- 15.**—(1) The 1968 Act is amended as follows—
- (2) In section 39 (right of appeal), after subsection (1) insert—
- “**(1A)** An appeal lies to the Supreme Court, at the instance of the acquitted person or the prosecuting officer, from any decision of the Appeal Court on an application under article 8(1) of the Armed Forces (Retrial for Serious Offences) Order 2013.”
- (3) At the end of that section insert—
- “(3) In relation to an appeal under subsection (1A), references in this Part to an accused are references to the acquitted person.”
- (4) In section 40 (application for leave to appeal), in subsection (2) after “accused” there is inserted “or, in the case of an appeal under section 39(1A), by the prosecuting officer”.