
DRAFT STATUTORY INSTRUMENTS

2013 No.

The Armed Forces (Retrial for Serious Offences) Order 2013

PART 8

Supplementary

Powers exercisable by a single judge of the Court Martial Appeal Court

28.—(1) The following powers under this Order may be exercised by a judge of the Court Martial Appeal Court in the same manner as they may be exercised by the Court Martial Appeal Court and subject to the same provisions—

- (a) to order under article 14(1)(a) the production of any document, exhibit or thing;
- (b) to order under article 14(1)(b) any witness who would be a compellable witness in proceedings pursuant to an order made on the application to attend for examination and be examined before the Court Martial Appeal Court;
- (c) to extend under article 13(6) the time for service;
- (d) to delay under article 16(8) the requirement of service on the acquitted person of an application for restrictions on publication; and
- (e) to give under article 13(3) a direction relating to attendance by live link.

(2) A single judge may, for the purposes of exercising any of the powers specified in paragraph (1), sit in such place as he appoints and may sit otherwise than in open court.

(3) Where a single judge exercises one of the powers set out in paragraph (1), the registrar must serve notice of the single judge's decision on all parties to the application under article 8(1).