

SCHEDULES

SCHEDULE 4

Section 8.

ORDERS THAT MAY BE MADE ON TRIAL OF CIVILIANS

1 The following Schedule shall be inserted after Schedule 5 to the Army Act 1955.

“SCHEDULE 5A

POWERS OF COURT ON TRIAL OF CIVILIAN

General

- 1 The powers conferred by this Schedule shall be exercisable on the trial of a person (in this Schedule referred to as a "civilian") to whom Part II of this Act is applied by section 209 above.
- 2 (1) In this Schedule—
- "community supervision order" has the meaning assigned to it by paragraph 4(2) below;
 - "compensation order" has the meaning assigned to it by paragraph 11(1) below;
 - "the court" means a court-martial or a Standing Civilian Court;
 - "custodial order" has the meaning assigned to it by paragraph 10(1) below;
 - "local authority in England or Wales" means the council of a non-metropolitan county, a metropolitan district or a London borough or the Common Council of the City of London;
 - "local authority in Scotland" means a regional or islands council;
 - "order for absolute discharge" means an order under paragraph 3 below discharging a person absolutely;
 - "order for conditional discharge" means an order under that paragraph discharging a person subject to a condition;
 - "period of conditional discharge" means the period specified in an order for conditional discharge;
 - "prescribed" means prescribed by regulations under paragraph 17 below;
 - "reception order" has the meaning assigned to it by paragraph 6(1) below;
 - "the Services Acts" means this Act, the Air Force Act 1955 and the Naval Discipline Act 1957; and
 - "supervision period" and "supervisor" have the meanings assigned to them by paragraph 4(2) below.

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- (2) A parent or guardian is a service parent or guardian for the purposes of this Schedule if—
- (a) he is subject to service law, or
 - (b) Part II of this Act is applied to him by section 209 above, or
 - (c) Part II of the Air Force Act 1955 is applied to him by section 209 of that Act, or
 - (d) Parts I and II of the Naval Discipline Act 1957 are applied to him by section 118 of that Act.

Absolute and conditional discharge

- 3
- (1) The court by which a civilian is found guilty of an offence (not being an offence the sentence for which is fixed by law) may make an order discharging him absolutely, or, if the court thinks fit, discharging him subject to the condition that, during such period, not exceeding 3 years from the date of the order, as may be specified in the order, he commits no offence that may be tried by court-martial under any of the Services Acts or by a Standing Civilian Court.
 - (2) If a court-martial under any of the Services Acts finds a person in whose case an order for conditional discharge has been made guilty of an offence committed during the period of conditional discharge, the court-martial may deal with him for the offence for which the order was made in any manner in which the court which made the order could deal with him if it had just found him guilty of that offence.
 - (3) If a Standing Civilian Court finds such a person guilty of an offence committed during the period of conditional discharge, the Standing Civilian Court may deal with him for the offence for which the order was made in any manner in which such a court could deal with him if it had just found him guilty of that offence.
 - (4) Before making an order for conditional discharge the court shall explain to the offender in ordinary language that if he commits another offence during the period of conditional discharge he will be liable to be sentenced for the original offence.

Community supervision orders

- 4
- (1) Subject to sub-paragraph (4) below, where a civilian under 21 years of age is found guilty of an offence and the court is of opinion that, having regard to the circumstances, including the nature of the offence and the character of the offender, it is expedient that he should undergo a period of supervision, the court may make an order directing him to comply during a specified period not exceeding 12 months with the reasonable requirements of a specified person nominated in the prescribed manner.
 - (2) In this Schedule—
 - " community supervision order " means an order under this paragraph ;
 - " supervision period " means the period specified in a community supervision order ; and

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" supervisor " means a person with whose requirements a community supervision order for the time being requires compliance on the part of the person subject to it.

- (3) The court making a community supervision order may include in it directions to the person who is to be subject to it to comply during the whole or any specified part of the supervision period with such requirements of any prescribed description as the court, having regard to the circumstances, considers will be beneficial for him.
- (4) Before making a community supervision order the court—
 - (a) shall explain in ordinary language to the person who is to be subject to it the effect of such an order and the consequences under sub-paragraphs (6) to 10) below of breach of any requirement imposed by virtue of sub-paragraph (1) or (3) above, and
 - (b) shall obtain his consent and, if he is under 17 years of age, the consent of his parent or guardian, to the making of the order and to the inclusion in it of any requirement by virtue of sub-paragraph (3) above.
- (5) If the court makes a community supervision order against any person on finding him guilty of an offence, it may not make any other order except a compensation order in respect of his conviction for that offence.
- (6) If a person subject to a community supervision order fails without reasonable excuse to comply with any requirement reasonably imposed by his supervisor or with any requirement included in the order by virtue of sub-paragraph (3) above, he shall be guilty of an offence triable by court-martial.
- (7) Any such offence shall be treated as if it were an offence against a provision of Part II of this Act.
- (8) If a court-martial under any of the Services Acts finds a person guilty of any offence (including an offence under sub-paragraph (6) above) committed during a supervision period, the court-martial may deal with him for the offence for which the community supervision order was made in any manner in which the court which made the order could deal with him if it had just found him guilty of that offence.
- (9) If a Standing Civilian Court finds a person guilty of any offence (including an offence under sub-paragraph (6) above) committed during a supervision period, the Standing Civilian Court may deal with him for the offence for which the community supervision order was made in any manner in which such a court could deal with him if it had just found him guilty of it.
- (10) If the court finds a person guilty of an offence under sub-paragraph (6) above, it may, instead of dealing with him for the offence for which the community supervision order was made, impose a fine not exceeding £50 upon him.
- (11) An officer authorised by the Defence Council—

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- (a) may discharge a community supervision order or modify such an order in any way which in his opinion does not increase its severity, and
 - (b) may replace a supervisor by specifying a new supervisor nominated in the prescribed manner.
- (12) The powers conferred by sub-paragraph (11)(a) above are without prejudice to any of the powers of a confirming officer or reviewing authority.

*Absolute and conditional discharge and
community supervision orders—supplementary*

- 5 (1) If upon finding a person guilty of an offence the court makes in respect of that offence—
- (a) an order for his absolute discharge, or
 - (b) an order for his conditional discharge, or
 - (c) a community supervision order,
- he shall be deemed not to have been convicted of the offence except—
- (i) where the order was an order for conditional discharge or a community supervision order, for the purposes of paragraph 3(2) or (3) or 4(8) or (9) above, as the case may be, and
 - (ii) in all cases, for the purposes specified in sub-paragraph (2) below.
- (2) The purposes mentioned in sub-paragraph (1)(ii) above are the purposes—
- (a) of the proceedings in which the order is made,
 - (b) of any confirmation, revision or review of those proceedings,
 - (c) of any appeal against conviction in those proceedings, and
 - (d) of the Rehabilitation of Offenders Act 1974.
- (3) Sub-paragraph (1) above shall not affect—
- (a) any right of a person in respect of whom an order for absolute or conditional discharge or a community supervision order was made to rely on his conviction in bar of any subsequent proceedings for the same offence ; or
 - (b) the restoration of any property in consequence of the conviction.
- (4) No appeal shall lie against any such order.
- (5) If a person is dealt with for an offence for which an order for conditional discharge or a community supervision order was made, the original order shall cease to have effect.
- (6) The powers conferred by paragraphs 3(2) and (3) and 4(8) and (9) above to deal with an offence for which an order for conditional discharge or a community supervision order has been made are without prejudice to any power of the court to deal with an offence, whenever committed, other than the offence for which the order in question was made.

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Reception orders and committal into care—general

- 6
- (1) Where a civilian under 17 years of age is found guilty of an offence punishable under this Act with imprisonment, the court may make an order (in this Schedule referred to as a "reception order") declaring that the Secretary of State may authorise any local authority in England or Wales to receive him into their care, and the Secretary of State may authorise any such authority accordingly.
 - (2) Before making a reception order, the court shall consider any report made in respect of the offender by or on behalf of the Secretary of State.
 - (3) The court shall give a copy of any such report to the offender or any person representing him.
 - (4) The Secretary of State may at any time revoke an authorisation under this paragraph.
 - (5) A reception order shall continue to have effect while the person named in it—
 - (a) is in the care of a local authority in England or Wales under this paragraph or paragraph 7 below ; or
 - (b) is subject to a supervision requirement of a children's hearing in Scotland following a reference under paragraph 8 below, or
 - (c) is in care in Northern Ireland by virtue of paragraph 9 below.
 - (6) A reception order shall be sufficient authority for the detention of the person named in it by the Secretary of State until he is received into the care of a local authority in England or Wales whom the Secretary of State has authorised to receive him.
 - (7) A reception order shall be sufficient authority for the detention of the person to whom it relates by any local authority in England or Wales, or by any constable, for the purpose of his transfer to the care of a local authority in England or Wales who are to receive him or his transfer to Scotland or Northern Ireland under paragraph 8 or 9 below.

Committal into care—England and Wales

- 7
- (1) Without prejudice to the generality of sub-paragraph (4) of paragraph 6 above, the Secretary of State may revoke an authorisation under that paragraph and authorise another local authority in England or Wales to receive the person named in the reception order into their care.
 - (2) When the Secretary of State informs a local authority that he has revoked an authorisation in accordance with sub-paragraph (1) above, they shall ensure the transfer of the person named in the reception order to the local authority named in the new authorisation.
 - (3) A person in the care of a local authority in England or Wales by virtue of this paragraph or paragraph 6 above shall be deemed, subject to sub-paragraph (4) below, to be the subject of a care order as defined in section 20 of the Children and Young Persons Act 1969 (not being an interim order as so denned) committing him to the care of that authority.

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- (4) The Children and Young Persons Act 1969 shall apply to such a person as if sections 20(3) (care order ceasing to have effect), 21(5) (appeals) and 25(2) (transfer of responsibility to Northern Ireland) were omitted.
- (5) An authorisation under this paragraph or paragraph 6 above shall cease to have effect—
 - (a) when the Secretary of State informs the local authority that he has revoked it or that the reception order has been discharged on appeal or review ; or
 - (b) when the case is disposed of under paragraph 8 below, or the person named in it is received into care under paragraph 9 below ; or
 - (c) when the person named in it attains—
 - (i) 19 years of age if he had attained 16 years of age when the reception order naming him was originally made ; or
 - (ii) 18 years of age in any other case.

Committal into care—transfer to Scotland

- 8 (1) Where a local authority in England or Wales for the time being having the care of a person by virtue of an authorisation under paragraph 6 or 7 above are satisfied that the person's welfare would be best served by his being subject to compulsory measures of care in Scotland, the authority may refer the case to the reporter of the local authority in Scotland which they consider relevant, and if the case is so referred the reporter shall arrange a children's hearing for the consideration and determination of the case under Part III of the Social Work (Scotland) Act 1968, as if the reference under this sub-paragraph were a reference under Part V of that Act in respect of a care order within the meaning of the Children and Young Persons Act 1969.
- (2) Any such reference shall include particulars of the authorisation by virtue of which the local authority in England or Wales has the care of the person in question ; and for the purposes of any children's hearing arranged pursuant to the reference those particulars shall be conclusive of the existence of that authorisation in relation to the person.
- (3) Where a children's hearing is arranged under this paragraph it shall be the duty of the authority who make the reference as aforesaid to ensure the transfer of the person to the place notified to them by the reporter.

Committal into care—transfer to Northern Ireland

- 9 (1) If it appears to the Secretary of State, on the application of a local authority in England or Wales for the time being having the care of a person by virtue of an authorisation under paragraph 6 or 7 above, that the person's welfare would be best served by a transfer to care in Northern Ireland, the Secretary of State may make an order committing him to the care of the managers of a training school in Northern Ireland or to the care of the Department of Health and Social Services for Northern Ireland ; and the provisions of the Children and Young Persons Act (Northern Ireland) 1968 (except sections 88(3), 90 and 91(3)) shall apply

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to an order under this sub-paragraph as if it were a training school order under that Act made on the date of the order under this sub-paragraph or, if the case so requires, a fit person order under that Act made on that date.

- (2) An order under this paragraph shall, unless it is discharged earlier, cease to have effect on the date when the authorisation would have ceased by effluxion of time to have effect, or
 - (a) if the person to whom the order relates is committed by it to the care of the said Department and will attain 18 years of age before that date, on the date when he attains that age ;
 - (b) if the order has effect as a training school order under the said Act and the period of supervision under that Act following the release from detention of the person to whom it applies expires before that date, on the date when that period expires.

Custodial orders

- 10 (1) Where a civilian who has attained 17 years of age but is under 21 years of age is found guilty of an offence punishable under this Act with imprisonment, the court shall have power, instead of so punishing him, to make an order (in this Schedule referred to as a "custodial order") committing him to be detained in accordance with the provisions of this paragraph for a maximum period to be specified in the order of not more than two years, if the order is made by a court-martial, or than six months if it is made by a Standing Civilian Court.
- (2) Before making a custodial order, the court shall consider any report made in respect of the offender by or on behalf of the Secretary of State.
- (3) The court shall give a copy of any such report to the offender or any person representing him.
- (4) A person in respect of whom such an order is made shall as soon as practicable be removed to the United Kingdom and shall be detained there in such appropriate institution as the Secretary of State may direct, and any enactment applying to persons detained in any such institution shall apply to a person so detained under this paragraph.
- (5) A custodial order shall be sufficient authority for the detention of the person subject to it in service custody until he is received into the institution specified in the Secretary of State's direction.
- (6) In this paragraph "appropriate institution" means—
 - (a) where the offender is removed to England or Wales—
 - (i) if the maximum period specified in the order exceeds six months, a borstal institution, and
 - (ii) in any other case, a detention centre ;
 - (b) where the offender is removed to Scotland, a young offenders' institution ;
 - (c) where the offender is removed to Northern Ireland—
 - (i) if the maximum period specified in the order exceeds six months or there is no accommodation available in a young offenders' centre, a borstal institution, and

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- (ii) if the maximum period so specified does not exceed six months and accommodation is available in a young offenders' centre, such a centre;

and in sub-paragraph (4) above "enactment", in relation to an offender who is removed to Northern Ireland, includes an enactment of the Parliament of Northern Ireland and a Measure of the Northern Ireland Assembly.

Compensation orders

- 11 (1) The court, on finding a civilian guilty of an offence, may, on application or otherwise (and whether or not it makes any other order), make an order (in this Schedule referred to as a "compensation order") requiring him to pay such sum as appears to the court to be just as or towards compensation for any loss or damage, other than personal injury, resulting from the offence or any other offence taken into consideration in determining sentence.
- (2) The sum specified in a compensation order made by a Standing Civilian Court shall not exceed £400.
- (3) In the case of an offence of unlawfully obtaining any property (whether by stealing it, handling it or otherwise), where the property in question is recovered, any damage to the property occurring while it was out of the owner's possession shall be treated for the purposes of this paragraph as having resulted from the offence, however and by whomsoever the damage was caused.
- (4) No compensation order shall be made in respect of loss suffered by the dependants of a person in consequence of his death, and no such order shall be made in respect of loss or damage due to an accident arising out of the presence of a motor vehicle on a road, except such damage as is treated by sub-paragraph (3) above as resulting from an offence of unlawfully obtaining any property.
- (5) In determining whether to make a compensation order against any person, and in determining the amount to be paid by any person under such an order, the court shall have regard to his means so far as they appear or are known to the court.
- 12 (1) The operation of a compensation order made by a court-martial shall be suspended—
- (a) in any case until the end of the period specified under Part II of the Courts-Martial (Appeals) Act 1968 as the period within which an application for leave to appeal must be lodged ; and
- (b) if such an application is duly lodged, until either the application is finally refused or it is withdrawn or the appeal is determined or abandoned.
- (2) The operation of a compensation order made by a Standing Civilian Court shall be suspended—
- (a) in any case until the end of the period within which notice of appeal may be given; and

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- (b) if such notice is given, until the appeal is determined or abandoned.
- (3) Where a compensation order has been made against any person in respect of an offence taken into consideration in determining his sentence—
- (a) the order shall cease to have effect if he successfully petitions or appeals against his conviction of the offence or all the offences of which he was convicted in the proceedings in which the order was made; and
 - (b) he may petition or appeal against the order as if it were part of the sentence imposed for the offence in respect of which it was made.

Imposition of fines on and making of compensation orders against parents and guardians

- 13 (1) Subject to sub-paragraph (2) below, where a civilian under 17 years of age is found guilty of any offence, the court, instead of imposing a fine on or making a compensation order against him, may impose a fine on or make a compensation order against any parent or guardian of his who is a service parent or guardian, but shall not do so without giving the parent or guardian an opportunity of being heard unless—
- (a) he has been required in the manner prescribed by Rules of Procedure under section 103 above or, as the case may be, by an order under paragraph 12 of Schedule 3 to the Armed Forces Act 1976 to attend the court, and
 - (b) he has failed to do so.
- (2) The power conferred by sub-paragraph (1) above shall not be exercisable in any case where the court is satisfied that the parent or guardian cannot be found or that he has not conducted to the commission of the offence by neglecting to exercise due care or control of the person found guilty of it.
- (3) A parent or guardian may petition or (notwithstanding any other enactment) appeal against a fine imposed on him or order made against him under this paragraph.
- (4) If a parent or guardian against whom a fine is so imposed or an order so made—
- (a) is a member of the regular forces, or
 - (b) is a member of the regular air force, as defined by section 223(1) of the Air Force Act 1955, or
 - (c) is subject to the Naval Discipline Act 1957,
- any sum which he is liable to pay, in so far as not otherwise paid by him, may be deducted from his pay.

Orders requiring parents or guardians to enter into recognisance

- 14 (1) Subject to sub-paragraph (2) below, where a civilian under 17 years of age is found guilty of any offence, the court may make an order requiring any parent or guardian of his who is a service parent or guardian to enter

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into a recognisance for an amount not exceeding £50 for a period not exceeding one year to exercise proper control over him.

- (2) The power conferred by sub-paragraph (1) above shall not be exercisable unless the parent or guardian consents.
- (3) Before making an order in the exercise of that power the court shall explain to the parent or guardian in ordinary language that if the offender is found guilty by court-martial under any of the Services Acts or by a Standing Civilian Court of another offence committed during the period specified in the order, his recognisance may be forfeited under sub-paragraph (4) below.
- (4) If a person whose parent or guardian has entered into a recognisance under this paragraph is found guilty by court-martial under any of the Services Acts or by a Standing Civilian Court of any offence committed within the period specified in the order, the recognisance or any part of it may in the prescribed manner be declared to be forfeited (without prejudice to any power of the court to punish the offender or to make any other order against him or an order against his parent or guardian under this paragraph or paragraph 13 above) and the person bound by it adjudged, subject to sub-paragraphs (5) and (6) below, to pay the sum in which he is bound or any lesser sum.
- (5) No declaration may be made except against a person who is a service parent or guardian when it is made.
- (6) No declaration may be made against any person without giving him an opportunity of being heard unless—
 - (a) he has been required in the manner prescribed by Rules of Procedure under section 103 above or, as the case may be, by an order under paragraph 12 of Schedule 3 to the Armed Forces Act 1976 to attend the court, and
 - (b) he has failed to do so.
- (7) Payment of, any sum adjudged to be paid under this paragraph shall be enforceable as if it were a fine imposed for an offence against section 70 above.
- (8) No appeal shall lie from an order or declaration under this paragraph.

Scale of punishments and orders

- 15 (1) In their application to civilians, references in this Act to any punishment provided by this Act are, subject to sub-paragraphs (4) to (7) below and to the limitation imposed in any particular case by the addition of the word " less ", references to any one or more of the punishments that may be awarded to civilians under this Act or of the orders that may be made against them under it.
- (2) For the purposes of Part II of this Act—
 - (a) a punishment or order specified in any paragraph of one of the columns in the Table below shall be treated as less than any punishments or orders specified in the paragraphs preceding that

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paragraph and greater than those specified in the paragraphs following it; and

- (b) a fine on or compensation order against an offender's parent or guardian shall be treated as involving the same degree of punishment as a fine of the same amount on the offender or, as the case may be, a compensation order of the same amount against him.

(3) In the Table—

- (a) the first column applies in the case of a person who at the date of his conviction had attained 21 years of age ;
- (b) the second column applies in the case of a person who at the date of his conviction had attained 17 years of age but was under 21 years of age ; and
- (c) the third column applies in the case of a person who at the date of his conviction was under 17 years of age.

TABLE

GRADING OF PUNISHMENTS AND ORDERS

<i>Offender 21 or over</i>	<i>Offender 17 or over but under 21</i>	<i>Offender under 17</i>
1. Death.	1. Death.	1. Detention as the Secretary of State may direct.
2. Imprisonment.	2. Imprisonment.	2. Reception order.
3. Fine.	3. Custodial order.	3. Fine.
4. Compensation order.	4. Fine.	4. Community supervision order.
5. Order for conditional discharge.	5. Community supervision order.	5. Compensation order.
6. Order for absolute discharge.	6. Compensation order.	6. Order binding over parent.
	7. Order for conditional discharge.	7. Order for conditional discharge.
	8. Order for absolute discharge.	8. Order for absolute discharge.

NOTE. In the application of the above Table—

- (a) to a person convicted of murder who was under 18 years of age when the offence was committed, or
- (b) to a person convicted of any offence who was under 18 years of age when the offence was committed and would be sentenced to death but for section 71A(3) above,

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the references to death shall be omitted from the first and second columns, and a reference to detention during Her Majesty's pleasure shall be substituted—

- (i) for the reference to imprisonment in the second column, and
- (ii) for the reference to detention as the Secretary of State may direct in the third column.

- (4) No order requiring the giving of a consent or the making of an explanation may be made on any confirmation, review or revision of a sentence or any appeal against a sentence without the consent being given or the explanation made.
- (5) If a community supervision order is made on any such confirmation, review, revision or appeal, no other order may be made except a compensation order.
- (6) Where an order under paragraph 13 or 14 above was made at the trial, no other order under either of those paragraphs may be substituted for it on any such confirmation, review, revision or appeal.
- (7) Where—
 - (a) on the trial of any person an order might have been made against his parent or guardian under paragraph 13 or 14 above, and
 - (b) there is power, on confirmation, review, revision or appeal, to substitute a fine or compensation order for the order made on the trial,

that power shall include—

- (i) power to substitute a fine or compensation order of an equal or smaller amount under paragraph 13 above, and
- (ii) power to make an order under paragraph 14 above which is not of greater severity, in the opinion of the person to whom it falls to exercise the power, than the order made on the trial.

Indemnity for persons carrying out orders under Schedule

- 16 No action shall lie in respect of anything done by any person in pursuance of an order under this Schedule if the doing thereof would have been lawful but for a defect in any instrument made for the purposes of that order.

Regulations

- 17 (1) The Secretary of State may by regulations make provision supplementary or incidental to the provisions of this Schedule.
- (2) The power to make regulations conferred by this paragraph includes power to make provision for specified cases or classes of cases, and for the purpose of any such orders classes of cases may be defined by reference to any circumstances specified in the regulations.
- (3) The power to make such regulations shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.”.

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- 2 (1) The said Schedule shall also be inserted, with the modifications specified in sub-paragraphs (2) and (3) below, after Schedule 5 to the Air Force Act 1955.
- (2) In paragraph 2 for the words " Air Force " there shall be substituted the word " Army "
" —
(a) in the definition of " the Services Acts " in sub-paragraph (1), and
(b) in sub-paragraph (2)(c).
- (3) The following paragraphs shall be substituted for paragraphs 13(4)(a) and (b):—
“(a) is a member of the regular air force, or
(b) is a member of the regular forces, as defined by section 225(1) of the Army Act 1955, or”.
- 3 (1) The said Schedule shall also be inserted, with the modifications specified in sub-paragraphs (2) to (10) below, after Schedule 4 to the Naval Discipline Act 1957, where it shall have effect as Schedule 4A to that Act.
- (2) In paragraph 1 for the words " Part II of this Act is applied by section 209 above " there shall be substituted the words " Parts I and II of this Act are applied by section 118 above " .
- (3) In paragraph 2(1) the following definitions shall be substituted for the definitions of " the court " and " the Services Acts " :—
“" the court " means a court-martial;
" the Services Acts " means this Act, the Army Act 1955 and the Air Force Act 1955 ;”.
- (4) The following definition shall be inserted in that sub-paragraph after the definition of " the Services Acts " :—
“" Standing Civilian Court " means a Standing Civilian Court established under the Armed Forces Act 1976.”.
- (5) The following sub-paragraph shall be substituted for paragraph 2(2):
“(2) " A parent or guardian is a service parent or guardian for the purposes of this Schedule if—
(a) he is subject to service law, or
(b) Parts I and II of this Act are applied to him by section 118 above, or
(c) Part II of the Army Act 1955 is applied to him by section 209 of that Act, or
(d) Part II of the Air Force Act 1955 is applied to him by section 209 of that Act.”.
- (6) There shall be omitted—
(a) from paragraph 10(1) the words from " if the order " to the end;
(b) paragraph 11(2) ; and
(c) paragraph 12(2).
- (7) In paragraphs 13(1)(a) and 14(6)(a), for the words from " Rules " to " 1976 " there shall be substituted the words " General Orders under section 58 above " .
- (8) The following paragraphs shall be substituted for paragraphs 13(4)(a), (b) and (c):—
“(a) is subject to this Act, or

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- (b) is a member of the regular forces, as defined by section 225(1) of the Army Act 1955, or
- (c) is a member of the regular air force, as defined by section 223(1) of the Air Force Act 1955.”.

(9) In paragraph 14(7) for the word " 70 " there shall be substituted the words " 42 " .

(10) In paragraph 15, there shall be substituted—

- (a) in sub-paragraph (1), for the word " provided" the word " authorised " ;
- (b) in sub-paragraph (2), for the word " II " the word " I " ; and
- (c) in paragraph (b) of the Note appended to the Table in sub-paragraph (3), for the words " section 71A(3)" the words " section 43A(3)".