



Armed Forces Act 1996

1996 CHAPTER 46

Trial and punishment of offences under Services Acts

5 Procedure for dealing with offences under Services Acts.

Schedule 1 (amendment of provisions relating to the procedure for dealing with offences under the 1955 Acts and the 1957 Act) shall have effect.

6 Abrogation of common law corroboration rules.

(1) For the avoidance of doubt section 32 of the ^{M1}Criminal Justice and Public Order Act 1994 (abolition of corroboration rules) and section 34(2) of the ^{M2}Criminal Justice Act 1988 (abrogation of requirements for corroboration warning) apply to any service disciplinary proceedings in which the rules abrogated by those sections would have been applied.

^{F1}(2)

(3) In this section “service disciplinary proceedings” means proceedings [^{F2}before—
(a) the Court Martial;
(b) the Summary Appeal Court;
(c) the Service Civilian Court;
(d) the Court Martial Appeal Court; or
(e) the Supreme Court on an appeal brought from the Court Martial Appeal Court.]

Extent Information

E1 For the application of this section to Channel Islands and Isle of Man, see s. 36(6)

Textual Amendments

F1 S. 6(2) repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by *Armed Forces Act 2006* (c. 52), s. 383(2), **Sch. 17**; S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, art. 4

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 1996, Cross Heading: Trial and punishment of offences under Services Acts. (See end of Document for details)

F2 Words in s. 6(3) substituted (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by **Armed Forces Act 2006 (c. 52)**, s. 383(2), **Sch. 16 para. 138**; S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, art. 4

Marginal Citations

M1 1994 c. 33.

M2 1988 c. 33.

7 Evidence from children.

In Schedule 13 to the Criminal Justice Act 1988 (application of provisions of that Act to courts-martial etc.), after paragraph 8 there shall be added the following paragraphs—

Video recordings of evidence

- “9 (1) The Secretary of State may by order direct that section 32A above shall have effect in relation—
- (a) to proceedings before Service courts; or
 - (b) to proceedings, or proceedings of specified descriptions, before Service courts in specified places,
- subject to such modifications as may be specified in the order.
- (2) The power to make an order conferred by this paragraph shall be exercisable by statutory instrument and a statutory instrument containing any such order shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) Without prejudice to the generality of any enactment conferring power to make procedural instruments, procedural instruments may make such provision as appears to the authority making them to be necessary or expedient for the purposes of section 32A above in their application to proceedings such as are mentioned in sub-paragraph (1) above by virtue of an order under that sub-paragraph.
- (4) In this paragraph “modifications” includes additions, omissions and amendments.

Cross-examination of children

- 10 (1) The Secretary of State may by order direct that section 34A above shall have effect in relation—
- (a) to proceedings before Service courts; or
 - (b) to proceedings or proceedings of specified descriptions before Service courts in specified places,
- subject to such modifications as may be specified in the order.
- (2) The power to make an order conferred by this paragraph shall be exercisable by statutory instrument and a statutory instrument containing any such order shall be subject to annulment in pursuance of a resolution of either House of Parliament.

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(3) In this paragraph “modifications” includes additions, omissions and amendments.”

PROSPECTIVE

F³8 Findings of unfitness to stand trial and insanity.

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Textual Amendments

F3 S. 8 repealed (31.3.2005) by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\)](#), s. 60, [Sch. 11](#); [S.I. 2005/579](#), art. 3(i)

F⁴9 Postponement of sentences of courts-martial.

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Textual Amendments

F4 [Ss. 9-12](#) repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), [Sch. 17](#); [S.I. 2009/812](#), art. 3(a)(b) (with transitional provisions in [S.I. 2009/1059](#)); [S.I. 2009/1167](#), art. 4

F⁴10 Community supervision orders.

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Textual Amendments

F4 [Ss. 9-12](#) repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), [Sch. 17](#); [S.I. 2009/812](#), art. 3(a)(b) (with transitional provisions in [S.I. 2009/1059](#)); [S.I. 2009/1167](#), art. 4

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