

1972 No. 847

DEFENCE

The Board of Inquiry (Army) (Amendment) Rules 1972

<i>Made</i>	- - -	<i>2nd June 1972</i>
<i>Laid before Parliament</i>		<i>9th June 1972</i>
<i>Coming into Operation</i>		<i>1st July 1972</i>

The Secretary of State, in exercise of the powers conferred upon him by section 135 of the Army Act 1955(a), as amended by section 26 of the Army and Air Force Act 1961(b), and of all other powers enabling him in that behalf, hereby makes the following Rules:—

Citation, Commencement and Interpretation

1.—(1) These Rules may be cited as the Board of Inquiry (Army) (Amendment) Rules 1972 and shall come into operation on 1st July 1972.

(2) The Interpretation Act 1889(c) shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

(3) In these Rules “the Principal Rules” means the Board of Inquiry (Army) Rules 1956(d), as amended (e).

Amendments to the Principal Rules

2.—(1) Rule 7 of the Principal Rules shall have effect as though—

(a) in paragraph (1) there were inserted after the words “an officer”, where they secondly occur, the words “or a warrant officer”;

(b) paragraph (2) were omitted and

(c) in paragraph (3) all the words after “a warrant officer” were omitted.

(2) Rule 13(4) of the Principal Rules shall have effect as though for the reference to the Rules of Procedure (Army) 1956(f) there were substituted a reference to the Rules of Procedure (Army) 1972(g).

Dated 2nd June 1972.

Carrington,

One of Her Majesty's Principal
Secretaries of State.

(a) 1955 c. 18.

(c) 1889 c. 63.

(e) The relevant amending instruments are S.I. 1961/2469, 1971/1257 (1961 III, p. 4536; 1971 II, p. 3622).

(f) S.I. 1956/162 (1956 I, p. 213).

(b) 1961 c. 52.

(d) S.I. 1956/630 (1956 I, p. 207).

(g) S.I. 1972/316 (1972 I, p. 965).

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules, which further amend the Board of Inquiry (Army) Rules 1956, reflect the introduction of the rank of Warrant Officer into the Royal Marines by deleting the references to a non-commissioned officer of the Royal Marines in the provisions as to the constitution of a board of inquiry. The reference to the Rules of Procedure (Army) 1956 for the administering of an oath or the making of an affirmation before a board is amended to refer to the Rules of Procedure (Army) 1972.

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