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STATUTORY INSTRUMENTS

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**1987 No. 2172**

**DEFENCE**

**The Rules of Procedure (Air Force)  
(Amendment No.2) Rules 1987**

*Made* - - - - *16th December 1987*  
*Laid before Parliament* *17th December 1987*  
*Coming into force* - - *1st January 1988*

The Secretary of State in exercise of the powers conferred on him by sections 103 and 209 of the Air Force Act 1955(1), hereby makes the following Rules:

**Citation and commencement**

1. These Rules may be cited as the Rules of Procedure (Air Force) (Amendment No.2) Rules 1987 and shall come into force on 1st January 1988.

**Amendment**

2. The Rules of Procedure (Air Force) (Amendment) Rules 1987(2) shall take effect as if for rule 3(2) there were substituted the following:—

“(2) In Rule 74 for paragraph (2) there shall be substituted the following:—

“(2) Where the accused is found guilty by a general court-martial or a field general court-martial of two or more offences against s.70 of the Act, consisting in the commission of civil offences for which a civil court in England could award imprisonment, the court-martial may by its sentence award, for any of the said offences, a term of imprisonment or may make a custodial order, in which event that term or order shall run from the expiry of a term or order awarded or made by that sentence for any other of those offences.””.

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(1) 1955 c. 19; section 209 was amended by the Armed Forces Act 1976 (c. 52), Schedule 9, paragraph 5.  
(2) S.I. 1987/2000.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Dated 16th December 1987

*George Younger*  
Secretary of State for Defence

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## EXPLANATORY NOTE

*(This note is not part of the Rules)*

Rule 3(2) of the Rules of Procedure (Air Force) (Amendment) Rules 1987 was intended to amend rule 74(2) of the Rules of Procedure (Air Force) 1972 (S.I.1972/419) but misdescribed that provision as rule 74(1). These Rules therefore correct that error by substituting a new rule 3(3) in the Amendment Rules. That provision now takes effect so as to substitute a new rule 74(2) (with a grammatical change), rather than adding fresh words to the paragraph as was done by the Amendment Rules previously.