
STATUTORY INSTRUMENTS

1997 No. 169

DEFENCE

The Courts-Martial (Army) Rules 1997

Made - - - - - *12th February 1997*
Laid before Parliament *14th February 1997*
Coming into force *1st April 1997*

THE COURTS-MARTIAL (ARMY) RULES 1997

PART I

PRELIMINARY

1. Citation and commencement
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50. Changes to the charge sheet by the court
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- Signature

SCHEDULE 1 — CHARGES AND JOINDER

PART I — RULES

1. (1) A charge sheet shall be in the form specified...
2. (1) Subject only to the provisions of paragraph 3 of...
3. Where the specific offence with which an accused person is...
4. Where an offence created by or under an enactment states...
5. It shall be sufficient in a charge sheet to describe...
6. (1) Subject to sub-paragraphs (2) and (3) below, charges for...
7. Where the offence charged is one which can be committed...

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8. Where the offence charged is one which may render the...
PART II

SCHEDULE 2 — FORMS

SCHEDULE 3 — OATHS AND AFFIRMATIONS

PART I — MANNER OF ADMINISTERING OATHS AND AFFIRMATIONS

1. An oath may be administered by the person swearing the...
2. A Scottish oath may be administered by the person swearing...
3. An oath may be administered in such manner as the...
4. A person under 18 making a promise or a person...

PART II — FORMS OF OATH

5. President and members other than the judge advocate
6. Persons under instruction
7. Interpreter
8. Witness
9. Form for a person under 18

PART III — FORM OF SCOTTISH OATHS

10. The form of Scottish oath shall in each case be...

PART IV — FORM OF SOLEMN AFFIRMATIONS

11. The form of affirmation shall in each case be the...

SCHEDULE 4 — HEARING FOR DIRECTIONS

1. the issues in the case;
2. issues, if any, as to the mental or medical condition...
3. the number of witnesses whose evidence will be placed before...
4. the defence witnesses in 3. above whose statements have been...
5. any prosecution witnesses whom the defence require to attend at...
6. any additional witnesses who may be called by the prosecution...
7. facts which are to be admitted and which can be...
8. any exhibits and schedules which are to be admitted;
9. the order and pagination of the papers to be used...
10. any alibi which should already have been disclosed in accordance...
11. any point of law which it is anticipated will arise...
12. any question as to the admissibility of evidence which appears...
13. any application to be made for evidence to be given...
14. any application to submit pre-recorded video interviews with a child...
15. any application for screens, for use by witnesses seeking a...
16. whether any video, tape recorder or other technical equipment will...
17. where a tape recorded interview has taken place, of any...
18. any other significant matter which might affect the proper and...
19. the estimated length of the trial, to be agreed more...
20. witness availability and the approximate length of witness evidence;
21. availability of advocate;
22. whether there is a need for any further directions.

SCHEDULE 5 — GUIDANCE FOR PETITIONERS

1. The petition should be settled with sufficient particularity to enable...
2. The petition should not contain grounds of appeal unless it...
3. The petition should not contain any factual inaccuracy.
4. Any allegation of fact in the petition should be based...
5. The petition should not contain a suggestion that a person...
6. Any proposition of law should be supported by references to...

SCHEDULE 6 — CIVILIANS

PART I — MODIFICATIONS FOR CIVILIANS

PART II — ADDITIONAL RULES FOR CIVILIANS

1. Prosecution of civilians
 2. Accused's parent or guardian
- PART III — APPEALS FROM STANDING CIVILIAN COURTS
3. Forwarding an appeal to the prosecuting authority
 4. Charge sheet on appeal
 5. Appeal against sentence alone
 6. Sentencing on appeal
 7. Appeal by parent or guardian of an accused
 8. Abandonment of appeal

SCHEDULE 7 — REVOCATIONS

Explanatory Note