

SCHEDULE 4

Article 91

APPLICATION AND MODIFICATION OF ENACTMENTS

Column 1 <i>Provision applied</i>	Column 2 <i>Modifications</i>
In the 1955 Act— <i>(functions of the prosecuting authority)</i> section 83B(8) to (14)	for the words “rules under section 103 of this Act” wherever they occur there shall be substituted the words “any order made under paragraph 12 of Schedule 3 to the Armed Forces Act 1976” for the words “commencement of trial” wherever they occur there shall be substituted the words “opening of proceedings”
<i>(prosecuting officers)</i> section 83C <i>(witnesses to be examined on oath)</i> section 93(1B) <i>(power to convict of offence other than that charged)</i> section 98 <i>(proof by written statement)</i> section 99A <i>(affirmations)</i> section 102	for the words “this Act” there shall be substituted the words “the Standing Civilian Courts Order 1997” for the words “prescribed form” there shall be substituted the words “form specified in any order under paragraph 12 of Schedule 3 to the Armed Forces Act 1976”
<i>(trial and punishment of offences under service law notwithstanding offender ceasing to be subject to it)</i> section 131(1) as applied by section 209(3)(g) section 132(3) <i>(custody of proceedings)</i> section 141	for the words “prescribed period” there shall be substituted the words “period specified in an

Status: This is the original version (as it was originally made).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

Column 1 <i>Provision applied</i>	Column 2 <i>Modifications</i>
	<p>order under paragraph 12 of Schedule 3 to the Armed Forces Act 1976”</p> <p>after subsection (5), the insertion of the following subsection—</p> <p>“(5A) In this section, the expression “a person tried by court-martial” shall include, where the person tried was under 17 years of age, any parent or guardian of his.”</p>
<p><i>(interpretation)</i></p> <p>section 143</p> <p><i>(arrest of persons unlawfully at large)</i></p> <p>section 190B</p>	<p>after the word “detention” there shall be inserted the words “or having been sentenced by a Standing Civilian Court to imprisonment, to a custodial order under Schedule 5A to this Act or to be detained under section 71A(4) of this Act”</p>
<p><i>(general provisions as to evidence)</i></p> <p>section 198</p> <p><i>(proof of outcome of civil trial)</i></p> <p>section 199</p> <p>(as applied by section 209(4B))</p> <p><i>(evidence of proceedings)</i></p> <p>section 200</p>	
<p><i>(exclusion of enactments requiring the fiat of the Attorney-General)</i></p> <p>section 204A</p> <p>In the Criminal Justice Act 1967—</p> <p>sections 9 and 10</p> <p>(as applied and modified by the Criminal Justice Act 1967 (Application to Courts-Martial) (Evidence) Regulations 1997(1))</p>	<p>for the words “president of the court” there shall be substituted the word “magistrate”</p>

(1) S.I.1997/173.