
STATUTORY INSTRUMENTS

2007 No. 3442

The Courts-Martial (Army) Rules 2007

PART 2

PROSECUTION OF OFFENCES

Referring back in a multiple charge case after charges already preferred

16.—(1) Where—

- (a) an election for court-martial trial relates to two or more preliminary charges; and
- (b) the prosecuting authority considers that a charge which has already been preferred (“the original charge”) should be amended, or that a charge should be preferred in addition to or in substitution for the original charge,

section 83BB(1) of the Act shall have effect as if it required the prosecuting authority to refer back to the commanding officer any charge (other than the original charge) which has already been preferred, as well as the charge or charges which he would otherwise be required to refer back under that section.