STATUTORY INSTRUMENTS

2007 No. 3442

DEFENCE

The Courts-Martial (Army) Rules 2007

Made - - - - 6th December 2007

Laid before Parliament 10th December 2007

Coming into force 1st January 2008

THE COURTS-MARTIAL (ARMY) RULES 2007

PART 1

- 1. Citation and commencement
- 2. Interpretation
- 3. Service on an accused

PART 2

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- 5. Withdrawal of election in a multiple charge case
- 6. Formal preliminary examination
- 7. Conduct of formal preliminary examination
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- 12. Notifying the court administration officer
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- 19. Appointment of court officials
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22.	Notification	or witnesses
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- 24. Issue of witness summons on application to a judge advocate
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- 26. Application for witness summons to produce a document, etc: judge advocate's assessment of relevance and confidentiality
- 27. Power to require advance production
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- 31. Issue of witness summons and variation of requirements
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- 61. Judge advocate sitting alone
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- 65. Exhibits
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- 68. Examination of witnesses
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- 71. The case for the defence
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- 80. Sentencing procedure after guilty plea
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SCHEDULE 1 — CHARGES AND JOINDER

PART 1 — RULES

- 1. (1) A charge sheet shall be in the form specified...
- 2. More than one incident of the commission of the offence...
- 3. (1) An charge sheet may contain more than one charge...
- 4. The charges must be numbered consecutively
- 5. Where an offence created by or under an enactment states...
- 6. It shall be sufficient in a charge sheet to describe...
- 7. Where the offence charged is one which can be committed...
- 8. Where the offence charged is one which may render the...

PART 2 — FORM

SCHEDULE 2 — FORMS

SCHEDULE 3 — PRELIMINARY HEARING

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PART 1 — MANNER OF ADMINISTERING OATHS AND AFFIRMATIONS

- 1. The person taking the oath shall hold the New Testament,...
- 2. If any person to whom an oath is administered desires...
- 3. If none of the forms of oath provided in this...
- 4. A person making a solemn affirmation instead of taking an...

PART 2 — FORMS OF OATH

- 5. President of the board and members other than the judge advocate
- 6. Persons under instruction
- 7. Interpreter
- 8. Witness aged 18 years or over
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PART 3 — FORM OF SCOTTISH OATHS

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

PART 4 — FORM OF SOLEMN AFFIRMATIONS

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

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 1 — MODIFICATIONS FOR CIVILIANS

PART 2 — ADDITIONAL RULES FOR CIVILIANS

- . Prosecution of civilians
- 2. Accused's parent or guardian

PART 3 — APPEALS FROM STANDING CIVILIAN COURTS

- 3. Forwarding an appeal to the prosecuting authority
- 4. Charge sheet on appeal

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- 5. Appeal against sentence alone
- Sentencing on appeal
- Appeal by parent or guardian of an accused Abandonment of appeal

SCHEDULE 7 — REVOCATIONS

Explanatory Note