
STATUTORY INSTRUMENTS

2009 No. 1098

The Armed Forces (Custody Proceedings) Rules 2009

PART 1

PRELIMINARY

Citation and commencement

1. These Rules may be cited as the Armed Forces (Custody Proceedings) Rules 2009 and shall come into force on 31st October 2009.

Interpretation

2.—(1) In these Rules—

“the Act” means the Armed Forces Act 2006;

“civilian policeman” means a member of a UK police forces or a British overseas territory police force;

“custody” means service custody and shall be construed in accordance with sections 98 to 111;

“DX” means document exchange;

“the Director” means the Director of Service Prosecutions;

“hearing” means a hearing in connection with any proceedings;

“the judge advocate” means the Judge Advocate General or a judge advocate specified by him to conduct proceedings under these Rules;

“legal representative” shall be construed in accordance with rule 18;

“live link” has the meaning given in rule 16(3)(a);

“proceedings” shall be construed in accordance with section 112(1); and

“unit” means—

(a) a naval ship or establishment;

(b) any body of members of Her Majesty’s forces formed under the command of a person appointed to be the commanding officer of the body;

(c) an air force station.

(2) References in these Rules to a person to whom proceedings relate are to—

(a) a person arrested under section 67;

(b) an accused within the meaning of sections 106 to 109;

(c) a person arrested under section 110(1) or 111(1); or

(d) a person remitted under section 171(1).

(3) Any reference in these Rules to a numbered section is to that section of the Act, unless otherwise stated.