
STATUTORY INSTRUMENTS

2009 No. 2044

The Court Martial (Prosecution Appeals) Order 2009

PART 2

Prosecution Appeals

Prosecution rights of appeal

3.—(1) In relation to trial proceedings, the Director is to have the rights of appeal for which provision is made by this Order.

(2) But the Director is to have no right of appeal under this Order in respect of—

- (a) a ruling that all lay members of the court be discharged; or
- (b) a ruling from which an appeal lies to the Court Martial Appeal Court by virtue of any other enactment.

(3) An appeal under this Order is to lie to the Court Martial Appeal Court.

(4) Such an appeal may be brought only with the leave of the judge advocate or the Court Martial Appeal Court.