

## SCHEDULE

Regulations 11 and 14

### CHARGES

1. A charge sheet—
  - (a) in the case of a charge to be brought against a person under section 120(2) and of an amended, substituted or additional charge to be brought under section 123(2), must be prepared by his commanding officer; and
  - (b) in the case of a charge to be brought against a person under section 122(1) and of an amended, substituted or additional charge to be brought under section 125(2) or 126(2), must be prepared by the DSP.
2. A charge sheet must state—
  - (a) the full name of the person who is to be charged;
  - (b) if he is subject to service law—
    - (i) his service number, rank or rate; and
    - (ii) the name of the ship, establishment or unit, of which he is a member; and
  - (c) subject to paragraphs 3 and 4, the charge brought against him.
3. Where a charge is amended or substituted under section 123(2), 125(2) or 126(2), the charge sheet must state the amended or substituted charge.
4. Where an additional charge is to be brought under section 123(2), 125(2) or 126(2), the charge sheet must state the charge to which an addition is to be made and the additional charge.
5. In respect of each charge the charge sheet must contain—
  - (a) a statement of the offence charged that —
    - (i) describes the offence in ordinary language;
    - (ii) identifies any legislation that creates it; and
    - (iii) identifies the corresponding offence under the law of England and Wales if the offence is contrary to section 42; and
  - (b) such particulars of the conduct constituting the commission of the offence as are necessary to make clear what is alleged against the accused.
6. More than one incident of the commission of the offence may be included in a charge if those incidents taken together amount to a course of conduct having regard to the time, place or purpose of commission.
7. A charge sheet may contain more than one charge if all the offences charged—
  - (a) are founded on the same facts; or
  - (b) form or are a part of a series of offences of the same or a similar character.
8. The charges must be numbered consecutively.
9. Where—
  - (a) the offence charged is one which can be committed in circumstances involving either a higher or lower degree of punishment, and
  - (b) it is intended to prove certain facts as rendering the accused liable to the higher degree of punishment if convicted,the charge must state those facts.