
STATUTORY INSTRUMENTS

2009 No. 2083

**The Youth Justice and Criminal Evidence Act
1999 (Application to Service Courts) Order 2009**

Modification of general and final provisions

12.—(1) In their application by virtue of article 11, the general and final provisions are modified as follows.

(2) Any reference to criminal proceedings is to be read as a reference to proceedings before the Court Martial, the Service Civilian Court or the Court Martial Appeal Court.

(3) Any reference to Criminal Procedure Rules is to be read as a reference to Rules of court.

(4) Section 62(1) of the Act has effect as if for the words “or any relevant superseded offence” there were substituted “, any relevant superseded offence or any offence under section 42 of the Armed Forces Act 2006 to which the corresponding offence in England and Wales (within the meaning of that Act) is such an offence”.

(5) Section 63(1) of the Act has effect as if—

(a) for the definition of “court” there was substituted—

““court” (except in Chapter 4 and 5 or subsection (2)) means the Court Martial Appeal Court;” and

(b) for the definition of “legal representative” there was substituted—

““legal representative” means a person appointed as a legal representative under the Court Martial Rules, the SCC Rules or the CMAC Rules;”.

(6) Section 63(2) of the Act has effect as if for the word “court” there was substituted—

(a) in relation to proceedings before the Court Martial or the Service Civilian Court, “judge advocate”; or

(b) in relation to proceedings before the Court Martial Appeal Court, “Court Martial Appeal Court”.

(7) Section 65(3) of the Act has effect, in relation to proceedings before the Court Martial or the Service Civilian Court, as if for the word “court” there was substituted “judge advocate”.