
STATUTORY INSTRUMENTS

2013 No. 1852

The Armed Forces (Retrial for Serious Offences) Order 2013

PART 5

Application for Retrial

Variation or revocation of restrictions on publication

17.—(1) The Court Martial Appeal Court may at any time, of its own motion or on a written application by the Director or the acquitted person, vary or revoke an order under article 16(1).

(2) A copy of the application to vary or revoke must be sent to all parties to the application under article 8(1) unless paragraph (3) applies.

(3) If notice of an application under article 8(1) has not been given under article 12(1) and the Director has indicated in the form referred to in article 16(7) that there are reasons why the acquitted person should not be notified of the application for restrictions on publication, the Court Martial Appeal Court may order that service under paragraph (2) on the acquitted person is not to be effected until notice of an application under article 8(1) is served on that person.

(4) If the Court Martial Appeal Court varies or revokes an order for restrictions on publication of its own motion or on an application, it must serve notice and reasons for that order on all parties, unless paragraph (3) applies.