
STATUTORY INSTRUMENTS

2013 No. 1852

The Armed Forces (Retrial for Serious Offences) Order 2013

PART 7

Custody

Service custody after hearing where retrial ordered

25.—(1) At a hearing at which the Court Martial Appeal Court makes an order for a person to be retried under article 9(1)(a) it may—

- (a) by order authorise the keeping of that person in service custody—
 - (i) for such period, ending not later than 8 days after the order is made, as the court think appropriate; or
 - (ii) if the person is legally represented and consents, for such period, not exceeding 28 days, as the court think appropriate; or
- (b) require that person to comply with such requirements as seem to the court to be necessary for a purpose mentioned in section 107(3) of the 2006 Act.

(2) Where the person is in service custody the court may under paragraph (1)(b) impose a requirement that must be complied with before the person may be released.

(3) An order under paragraph (1)(a) is to be treated, for the purposes of Part 4 of the 2006 Act, as made under section 105(2) of that Act.

(4) A requirement imposed under paragraph (1)(b) is to be treated for the purposes of Part 4 of that Act, as imposed under section 107(3) of that Act (and where appropriate, by virtue of section 107(3)(a) of that Act).

Commencement Information

II Art. 25 in force at 1.8.2013, see [art. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Armed Forces (Retrial for Serious Offences) Order 2013, Section 25.