

Status: Point in time view as at 01/12/2020.

Changes to legislation: Sentencing Act 2020, Cross Heading: Armed Forces (Court Martial) Rules 2009 (S.I. 2009/2041) is up to date with all changes known to be in force on or before 24 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 24

CONSEQUENTIAL AMENDMENTS

PART 5

SECONDARY LEGISLATION

Armed Forces (Court Martial) Rules 2009 (S.I. 2009/2041)

- 384 In rule 2(2) of the Armed Forces (Court Martial) Rules 2009, in paragraph (a) of the definition of “activation order”, for “paragraph 8(2)(a) or (b) of Schedule 12 to the 2003 Act” substitute “ paragraph 13(1)(a) or (b) of Schedule 16 to the Sentencing Code ”.

Commencement Information

II Sch. 24 para. 384 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

- 385 (1) Rule 3 of those Rules is amended as follows.
- (2) In paragraph (2), in the definition of “suspended sentence order”—
- (a) after “means an order under” insert “ section 264 or 277 of the Sentencing Code or ”;
- (b) for “section 196(2)” substitute “ section 207 ”.
- (3) For paragraph (3) substitute—
- “(3) Any reference in these Rules to Schedule 10 to the Sentencing Code is to that Schedule as modified by section 181 of the 2006 Act and Schedule 6A to that Act.”

Commencement Information

I2 Sch. 24 para. 385 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

- 386 In rule 44(3) of those Rules, for “paragraph 23 of Schedule 8 to the 2003 Act” substitute “ paragraph 25 of Schedule 10 to the Sentencing Code ”.

Commencement Information

I3 Sch. 24 para. 386 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

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- 387 In rule 114(5)(b) of those Rules, for “paragraph 23 of Schedule 8 to the 2003 Act” substitute “ paragraph 25 of Schedule 10 to the Sentencing Code ”.

Commencement Information

I4 Sch. 24 para. 387 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

- 388 (1) Rule 131 of those Rules is amended as follows.
- (2) In paragraph (1), for “paragraph 12(2A)(a) and (b) of Schedule 12 to the 2003 Act, as substituted by paragraph 8(1)” substitute “ paragraph 19(1)(a) and (b) of Schedule 16 to the Sentencing Code, as modified by paragraph 12 ”.
- (3) In sub-paragraph (2)—
- (a) in the definition of “the relevant facts”, for “mentioned in those paragraphs, as so substituted” substitute “ referred to in paragraph (1) above ”;
 - (b) in the definition of “the original sentence”, after “means” insert “ the suspended sentence order mentioned in paragraph 19(1)(a) of Schedule 16 to the Sentencing Code, as modified by paragraph 12 of Schedule 7 to the 2006 Act, or ”;
 - (c) in the definition of “the new offence”, for “in that sub-paragraph, as so substituted” substitute “ paragraph 19(1)(a) of Schedule 16 to the Sentencing Code, as modified by paragraph 12 of Schedule 7 to the 2006 Act ”;
 - (d) in the definition of “summons”, for “in that sub-paragraph, as so substituted” substitute “ paragraph 19(2)(a) of Schedule 16 to the Sentencing Code, as so modified ”;
 - (e) in the definition of “warrant”, for “in that sub-paragraph, as so substituted” substitute “ paragraph 19(2)(b) of Schedule 16 to the Sentencing Code, as so modified ”;
 - (f) in the definition of “relevant order”, for “paragraph 8(2) of Schedule 12 to the 2003 Act” substitute “ paragraph 13(1) of Schedule 16 to the Sentencing Code ”.

Commencement Information

I5 Sch. 24 para. 388 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

- 389 In rule 134(2)(c)(ii) of those Rules, for “section 105(2) of the Powers of Criminal Courts (Sentencing) Act 2000” substitute “ paragraph 7(2) of Schedule 12 to the Sentencing Code ”.

Commencement Information

I6 Sch. 24 para. 389 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

- 390 (1) Rule 140 of those Rules is amended as follows.
- (2) In paragraph (1)—
- (a) for “paragraph 8 of Schedule 8 to the 2003 Act” substitute “ paragraph 8A of Schedule 10 to the Sentencing Code (as inserted by paragraph 5 of Schedule 6A to the 2006 Act) ”;

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- (b) in sub-paragraph (c) for “paragraph 5 of Schedule 8 to the 2003 Act” substitute “ paragraph 6 of Schedule 10 to the Sentencing Code ”.
- (3) In paragraph (3)—
 - (a) in sub-paragraph (a)—
 - (i) for “paragraph 8 of Schedule 8 to the 2003 Act” substitute “ paragraph 8A of Schedule 10 to the Sentencing Code ”;
 - (ii) for “paragraph 10” substitute “ paragraph 11 ”;
 - (b) in sub-paragraph (b), for “paragraph 8” substitute “ paragraph 8A ”.

Commencement Information

17 [Sch. 24 para. 390](#) in force at 1.12.2020 by [S.I. 2020/1236](#), [reg. 2](#)

- 391 (1) Rule 141 of those Rules is amended as follows.
- (2) In paragraph (1), for “paragraph 8 of Schedule 8 to the 2003 Act” substitute “ paragraph 8A of Schedule 10 to the Sentencing Code (as inserted by paragraph 5 of Schedule 6A to the 2006 Act) ”.
 - (3) In paragraph (8)(a), for “paragraph 10 of Schedule 8 to the 2003 Act” substitute “ paragraph 11 of Schedule 10 to the Sentencing Code ”.

Commencement Information

18 [Sch. 24 para. 391](#) in force at 1.12.2020 by [S.I. 2020/1236](#), [reg. 2](#)

- 392 (1) Rule 142 of those Rules is amended as follows.
- (2) In paragraph (1), for “paragraph 14 of Schedule 8 to the 2003 Act” substitute “ paragraph 15 of Schedule 10 to the Sentencing Code ”.
 - (3) In paragraph (4)(b), for “paragraph 14(5) of Schedule 8 to the 2003 Act” substitute “ paragraph 15(3) of Schedule 10 to the Sentencing Code ”.
 - (4) In paragraph (6), in the opening words and in sub-paragraph (b), for “paragraph 14(5) of Schedule 8 to the 2003 Act” substitute “ paragraph 15(3) of Schedule 10 to the Sentencing Code ”.

Commencement Information

19 [Sch. 24 para. 392](#) in force at 1.12.2020 by [S.I. 2020/1236](#), [reg. 2](#)

- 393 (1) Rule 143 of those Rules is amended as follows.
- (2) In paragraph (1), for “paragraph 17 of Schedule 8 to the 2003 Act” substitute “ paragraph 18 of Schedule 10 to the Sentencing Code ”.
 - (3) In paragraph (3)(a), for “paragraph 17(2) of Schedule 8 to the 2003 Act” substitute “ paragraph 18(7) of Schedule 10 to the Sentencing Code ”.

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I10 Sch. 24 para. 393 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

394 (1) Rule 144 of those Rules is amended as follows.

(2) In paragraph (1)—

- (a) for “paragraph 20 of Schedule 8 to the 2003 Act” substitute “ paragraph 21 of Schedule 10 to the Sentencing Code ”;
- (b) in sub-paragraph (a), for “section 200(2) of that Act” substitute “ paragraph 1(1)(b) of Schedule 9 to that Code ”.

(3) In paragraph (3)(b), for “section 200(2) of the 2003 Act” substitute “ paragraph 1(1)(b) of Schedule 9 to the Sentencing Code ”.

Commencement Information

I11 Sch. 24 para. 394 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

395 In Schedule 2 to those Rules, in paragraph 17(2), for “paragraph 23 of Schedule 8 to the 2003 Act” substitute “ paragraph 25 of Schedule 10 to the Sentencing Code ”.

Commencement Information

I12 Sch. 24 para. 395 in force at 1.12.2020 by S.I. 2020/1236, reg. 2

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