



# Army Act 1955 (repealed)

1955 CHAPTER 18 3 and 4 Eliz 2

## PART II

### DISCIPLINE AND TRIAL AND PUNISHMENT OF MILITARY OFFENCES

#### *Courts-martial: general provisions*

VALID FROM 01/04/1997

#### **<sup>F1</sup>84C Convening of general and district courts-martial.**

- (1) On being notified by the prosecuting authority of the charge preferred and the description of court-martial by which the charge is to be tried, a court administration officer shall by order convene a court-martial of that description.
- (2) The order convening the court-martial shall specify—
  - (a) the date, time and place at which the court-martial is to sit;
  - (b) the officers who are to be members of the court-martial;
  - (c) which of those officers is to be president of the court-martial;
  - (d) any other officers appointed for the purpose of filling vacancies,and shall state that a judge advocate appointed by or on behalf of the Judge Advocate General is to be a member of the court-martial.
- (3) At any time before the commencement of the trial, the court administration officer may, in accordance with rules under section 103 of this Act, amend or withdraw the order convening the court-martial.
- (4) The following shall not be eligible to be members of a court-martial for the trial of a charge—
  - (a) the court administration officer;

---

*Status: Point in time view as at 14/10/1991. This version of this provision is not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Army Act 1955 (repealed), Section 84C. (See end of Document for details)*

---

- (b) an officer who at any time between the date on which the preliminary charge was reported to the commanding officer of the accused and the date of the trial has been the commanding officer of the accused;
  - (c) the higher authority to whom the preliminary charge against the accused was referred;
  - (d) any other officer who has investigated the subject matter of the charge against the accused;
  - (e) any other officer who under this Act has held, or has acted as one of the persons holding, an inquiry into matters relating to the subject matter of the charge against the accused.
- (5) In subsection (4) above “the preliminary charge” means the charge referred to higher authority by the commanding officer of the accused.

---

**Textual Amendments**

- F1** S. 84A-84D inserted (1.4.1997 subject to art. 3 of the commencing S.I.) by 1996 c. 46, s. 5, **Sch. 1 Pt. III para. 19**; S.I. 1997/304, **art. 2** (with transitional provisions in **Sch. 2**)

---

**Textual Amendments applied to the whole legislation**

- F1** Act: the provisions of the 1955 Acts providing for findings of courts-martial to be subject to confirmation and to revision at the direction of the confirming officer cease to have effect (1.4.1997 subject to art. 3 of the commencing S.I.) by virtue of 1996 c. 46, s. 15; S.I. 1997/304, arts. 2, 3, **Sch. 2**

**Status:**

Point in time view as at 14/10/1991. This version of this provision is not valid for this point in time.

**Changes to legislation:**

There are currently no known outstanding effects for the Army Act 1955 (repealed), Section 84C.