



# Army Act 1955 (repealed)

1955 CHAPTER 18 3 and 4 Eliz 2

## PART II

DISCIPLINE AND TRIAL AND PUNISHMENT OF MILITARY OFFENCES

*Courts-martial: provisions relating to trial*

### [<sup>F1</sup>99A Proof at courts-martial by written statement.

- (1) [<sup>F2</sup>Without prejudice to section 99 above, section] 9 of the <sup>M1</sup>Criminal Justice Act 1967 (proof by written statement) shall apply subject to subsection (2) below and to service modifications, for the purposes of proceedings before courts-martial (whether held in the United Kingdom or not) as it applies to proceedings on indictment.
- (2) The statements rendered admissible by this section are statements made—
  - (a) in the United Kingdom by any person, and
  - (b) outside the United Kingdom by any person who at the time of making the statement was—
    - (i) a person subject to service law, or
    - (ii) a person to whom Part II of this Act or Part II of the <sup>M2</sup>Air Force Act 1955 is applied by section 208A or section 209 of this Act or that Act respectively, or to whom Parts I and II of the <sup>M3</sup>Naval Discipline Act 1957 are applied by section 117 or section 118 of that Act.and the persons mentioned in this paragraph include persons to whom section 131 of this Act, section 131 of the <sup>M4</sup>Air Force Act 1955 or section 119 of the <sup>M5</sup>Naval Discipline Act 1957 apply.
- (3) In subsection (1) above “service modifications” means—
  - (a) modifications made by any regulations under section 12 of the <sup>M6</sup>Criminal Justice Act 1967 in force on the coming into force of this section, and
  - (b) such modifications in the said section 9, as applied by subsection (1) above, as the Secretary of State may by regulations made by statutory instrument prescribe thereafter, being modifications which appear to him to be necessary

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*Status: Point in time view as at 25/08/2006. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Army Act 1955 (repealed), Section 99A. (See end of Document for details)*

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or proper for the purpose of the operation of that section in relation to proceedings before a court-martial.

- (4) Regulations under subsection (3)(b) above shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) Section 89 of the said Act of 1967 (punishment of making false statements tendered under section 9) shall apply to any statement rendered admissible by this section.]

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#### **Textual Amendments**

- F1** S. 99A inserted by [Armed Forces Act 1976 \(c. 52\)](#), s. 11, **Sch. 5 para. 1**
- F2** Words substituted by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\)](#), **s. 119(1)**, Sch. 6 Pt. II para. 28(3)

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#### **Modifications etc. (not altering text)**

- C1** S. 99A(1)(2)(5) applied (with modifications) (2.10.2000) by [S.I. 2000/2371](#), **rule 27(1)(b)(2)**

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#### **Marginal Citations**

- M1** 1967 c. 80.
- M2** 1955 c. 19.
- M3** 1957 c. 53.
- M4** 1955 c. 19.
- M5** 1957 c. 53.
- M6** 1967 c. 80.

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#### **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:**

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**Changes to legislation:**

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