

Status: Point in time view as at 01/02/1991.

Changes to legislation: Naval Discipline Act 1957 (repealed), Cross Heading: General is up to date with all changes known to be in force on or before 12 July 2024.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

[^{F1}SCHEDULE 4A]

POWERS OF COURT ON TRIAL OF CIVILIAN

Textual Amendments

F1 Sch. 4A inserted by [Armed Forces Act 1976 \(c. 52\)](#), Sch. 4 paras. 1, 3

Modifications etc. (not altering text)

C1 Sch. 4A excluded (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), s. [134\(1\)\(d\)\(2\)\(3\)](#); S.I. 2004/874, [art. 2](#); S.S.I. 2004/138, [art. 2](#)

General

Textual Amendments applied to the whole legislation

F1 Act repealed (prosp.) by [Armed Forces Act 2006 \(c. 52\)](#), ss. 378, 383, [Sch. 17](#) and the repeal being partly in force, as to which see individual provisions

- 1 The powers conferred by this Schedule shall be exercisable on the trial of a person (in this Schedule referred to as a “civilian”) to whom Parts I and II of this Act are applied by section 118 above.
- 2 (1) In this Schedule—
- “community supervision order” has the meaning assigned to it by paragraph 4(2) below;
 - “compensation order” has the meaning assigned to it by paragraph 11(1) below;
 - “the court” means a court-martial;
 - “custodial order” has the meaning assigned to it by paragraph 10(1) below;
 - “local authority in England and Wales” means the council of a non-metropolitan county, a metropolitan district or a London borough or the Common Council of the City of London;
 - “local authority in Scotland” means a regional or islands council;
 - “order for absolute discharge” means an order under paragraph 3 below discharging a person absolutely;
 - “order for conditional discharge” means an order under that paragraph discharging a person subject to a condition;
 - “period of conditional discharge” means the period specified in an order for conditional discharge;

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“prescribed” means prescribed by regulations under paragraph 17 below;
“reception order” has the meaning assigned to it by paragraph 6(1) below;
“the Services Acts” means this Act, the ^{M1}Army Act 1955 and the ^{M2}Air Force Act 1955; and
“Standing Civilian Court” means a Standing Civilian Court established under the ^{M3}Armed Forces Act 1976;
“supervision period” and “supervisor” have the meanings assigned to them by paragraph 4(2) below.

- (2) A parent or guardian is a service parent or guardian for the purposes of this Schedule if—
- (a) he is subject to service law, or
 - (b) Parts I and II of this Act are applied to him by section 118 above, or
 - (c) Part II of the ^{M4}Army Act 1955 is applied to him by section 209 of that Act, or
 - (d) Part II of the ^{M5}Air Force Act 1955 is applied to him by section 209 of that Act.

Marginal Citations

- M1** 1955 c. 18.
M2 1955 c. 19.
M3 1976 c. 52.
M4 1955 c. 18.
M5 1955 c. 19.

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