
STATUTORY INSTRUMENTS

2007 No. 3444

DEFENCE

The Courts-Martial (Royal Air Force) Rules 2007

Made - - - - *6th December 2007*

Laid before Parliament *10th December 2007*

Coming into force - - *1st January 2008*

The Secretary of State makes the following Rules in exercise of the powers conferred upon him by section 103 and 209 of the Air Force Act 1955(1), and sections 111 and 113 of, and paragraph 5 of Schedule 6 to, and sections 132 and 135 of, and paragraph 2(6) of Schedule 7 to, the Criminal Justice Act 2003(2):

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- (1) 1955 c. 19; by virtue of section 378 of, and paragraph 24 of Schedule 16 to, the Armed Forces Act 2006 (2006 c.52) rules under section 103 of the Act may make provision for orders and rulings by a judge advocate at which an accused is arraigned; section 209(3D) of the Act, as amended by the [Armed Forces \(Alignment of Service Discipline Acts\) Order 2007/1859](#), allows rules under section 103 of the Act to make provision for persons other than air force officers or air force warrant officers to be appointed to courts-martial.
- (2) 2003 c. 44; by virtue of section 113 of, and paragraph 5 of Schedule 6 to, the Criminal Justice Act 2003 (“the 2003 Act”), section 111 has effect as if, in its subsection (7), the definition of “rules of court” includes rules regulating the practice and procedure of service courts. By virtue of section 135 of, and paragraph 2(6) of Schedule 7 to, the 2003 Act, section 132 is modified so that, in its subsection (10), the definition of “rules of court” includes rules regulating the practice and procedure of service courts. By virtue of paragraph 6 of Schedule 6 and paragraph 8 of Schedule 7, “service court” includes a court-martial and “court-martial” includes a court-martial convened under the Air Force Act 1955.