
STATUTORY INSTRUMENTS

2009 No. 2041

DEFENCE

The Armed Forces (Court Martial) Rules 2009

Made - - - - - *21st July 2009*

Coming into force - - - - - *31st October 2009*

The Secretary of State, in exercise of the powers conferred by section 19(5) of the Court Martial Appeals Act 1968⁽¹⁾, sections 111, 113, 132 and 135 of, paragraph 5 of Schedule 6 to, and paragraph 2(6) of Schedule 7 to, the Criminal Justice Act 2003⁽²⁾, and sections 125(3), 155, 157(4), 158, 163, 165 and 286(4) of the Armed Forces Act 2006⁽³⁾, makes the following Rules:

In accordance with section 373(3) of the Armed Forces Act 2006 a draft of this instrument was laid before, and approved by resolution of, each House of Parliament.

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- (1) 1968 c. 20. Section 19(5) of the Court Martial Appeals Act 1968 is inserted by paragraph 20 of Schedule 8 to the Armed Forces Act 2006 (c. 52).
- (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” included 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 (as amended by paragraph 234(4) and paragraph 235(6) of Schedule 16 to the Armed Forces Act 2006), “service court” includes the Court Martial.
- (3) 2006 c. 52.