



Courts-Martial (Appeals) Act 1968

1968 CHAPTER 20

PART II

[^{F1}APPEALS FROM THE COURT MARTIAL]

Disposal of appeal

12 Power to quash conviction as [^{F1}unsafe.]

[^{F2}(1) The Appeal Court—

- (a) shall allow an appeal against conviction by [^{F3}the Court Martial] if they think that the conviction is unsafe; and
- (b) shall dismiss such an appeal in any other case.]

(2) If the Appeal Court allow an appeal against conviction, they shall quash the conviction.

[^{F4}(3) Where the Appeal Court quash a conviction, the appellant is to be treated as if he had been acquitted by the Court Martial; but this does not apply if an order under section 19 authorising the appellant to be retried is made.]

Textual Amendments

- F1** Word in s. 12 sidenote substituted (1.1.1996) by 1995 c. 35, s. 29(1), **Sch. 2 para. 5(2)**; S.I. 1995/3061, **art. 3** (with **art. 4**)
- F2** S. 12(1) substituted (1.1.1996) for s. 12(1) including the proviso by 1995 c. 35, s. 29(1), **Sch. 2 para. 5(2)**; S.I. 1995/3061, **art. 3** (with **art. 4**)
- F3** Words in s. 12(1)(a) substituted (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by **Armed Forces Act 2006** (c. 52), s. 383(2), **Sch. 8 para. 10(a)**; S.I. 2009/812, **art. 3(a)(b)** (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, **art. 4**
- F4** S. 12(3) added (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by **Armed Forces Act 2006** (c. 52), s. 383(2), **Sch. 8 para. 10(b)**; S.I. 2009/812, **art. 3(a)(b)** (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, **art. 4**

*Changes to legislation: There are currently no known outstanding effects for the
Courts-Martial (Appeals) Act 1968, Section 12. (See end of Document for details)*

Modifications etc. (not altering text)

- C1** S. 12(1)(a) modified (24.4.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [The Armed Forces Act 2006 \(Transitional Provisions etc\) Order 2009 \(S.I. 2009/1059\)](#), arts. 1(3), **111**

Changes to legislation:

There are currently no known outstanding effects for the Courts-Martial (Appeals) Act 1968, Section 12.