

*Status: Point in time view as at 31/10/2009.*

*Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 1971, Schedule 2. (See end of Document for details)*

## SCHEDULE 2

Section 73.

### AMENDMENTS ABOUT APPEALS AGAINST SENTENCE

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

- C1** The text of ss. 2–25, 27–32, 34–50, 52, 53, 55–63, 65, 66, 68, 70–75, 77(1), Schs. 2, 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### *Courts-Martial (Appeals) Act 1968*

- 1 (1) The <sup>M1</sup> Courts-Martial (Appeals) Act 1968 shall be amended as follows.
- <sup>F1</sup>(2) .....
- <sup>F1</sup>(3) .....
- <sup>F1</sup>(4) .....
- <sup>F1</sup>(5) .....
- (6) In section 31(1), after the words “an appeal” there shall be inserted the words “other than an appeal against sentence”.
- (7) In section 34, the words “under subsection (1) above” shall be substituted for the words “this section” in subsection (2), and the following subsection shall be added after subsection (3):—
- “(4) Where a person convicted by court-martial is a civilian as defined in section 8(5) of this Act, the Secretary of State may, if consideration thereof by the Appeal Court appears to him for any reason desirable, refer the sentence of the court-martial to the Court; and any such reference shall be treated as an appeal by the person convicted against sentence for all purposes except those of section 32 of this Act”.
- <sup>F2</sup>(8) .....

#### Textual Amendments

- F1** Sch. 2 para. 1(2)-(5) repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), **Sch. 17**; S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, art. 4
- F2** Sch. 2 para. 1(8) repealed (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), s. 110(1), **Sch. 10**; S.I. 2005/910, art. 3(aa)

#### Marginal Citations

- M1** 1968 c. 20.

#### *The Army Act 1955 and the Air Force Act 1955*

- <sup>F3</sup>2 .....

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**Textual Amendments**

**F3** Sch. 2 para. 2 repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), [Sch. 17](#); S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, art. 4

*The Naval Discipline Act 1957*

**F43** .....

**Textual Amendments**

**F4** Sch. 2 para. 3 repealed (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. 17](#); S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, art. 4

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