

SCHEDULES

SCHEDULE 3

STANDING CIVILIAN COURTS

Right to court-martial

- 4 (1) An accused person has a right to elect, before the court commences his trial, that the charges on which he is to be tried shall be tried by court-martial instead of by the court.
- (2) Before the court commences a trial, it shall inform the accused in the prescribed manner of the right conferred by sub-paragraph (1) above, whether or not he has already been informed of it.
- (3) The court shall proceed with the case unless the accused or, if more than one person is jointly charged, any of the accused, exercises the right so conferred.
- (4) If the accused, or any of the accused, exercises that right, the court shall adjourn, and report to the directing officer in the prescribed manner the fact that the election for trial by court-martial has been made.
- (5) The directing officer shall thereupon—
- (a) exercise any power conferred on higher authority by section 80 of the Army Act 1955 ; or
 - (b) take the prescribed steps with a view to the accused being tried by court-martial.