



Armed Forces Act 2006

2006 CHAPTER 52

First Group of Parts Discipline

PART 6

SUMMARY HEARING AND APPEALS AND REVIEW

CHAPTER 2

THE SUMMARY APPEAL COURT

151 SAC rules

- (1) The Secretary of State may by rules (referred to in this Act as “SAC rules”) make provision with respect to the Summary Appeal Court.
- (2) SAC rules may in particular make provision with respect to—
 - (a) sittings of the court, including the place of sitting and changes to the place of sitting;
 - (b) the hearing of appeals and other proceedings of the court;
 - (c) the practice and procedure of the court;
 - (d) evidence, including the admissibility of evidence;
 - (e) the representation of the appellant.
- (3) Without prejudice to the generality of subsections (1) and (2), SAC rules may make provision—
 - (a) as to oaths and affirmations for members of the court, witnesses and other persons;
 - (b) as to objections to, and the replacement of, members of the court;
 - (c) as to the constitution of the court;
 - (d) for such powers of the court as may be prescribed by the rules to be exercised by a judge advocate;

Status: This is the original version (as it was originally enacted).

- (e) for procuring the attendance of witnesses and other persons and the production of documents and other things, including provision about—
 - (i) the payment of expenses to persons summoned to attend the court;
 - (ii) the issue by the court of warrants for the arrest of persons;
 - (f) enabling an uncontested appeal to be determined without a hearing;
 - (g) as to the bringing or abandonment of appeals;
 - (h) for the discharge of a court (including provision as to rehearings following discharge);
 - (i) as to notifications and references under section 152;
 - (j) for the making and retention of records of the proceedings of the court;
 - (k) for the supply of copies of such records, including provision about the fees payable for the supply of such copies;
 - (l) conferring functions in relation to the court on the court administration officer;
 - (m) for the delegation by the court administration officer of any of his functions in relation to the court.
- (4) Provision that may be made by the rules by virtue of subsection (2)(d) includes provision applying, with or without modifications, any enactment (whenever passed) creating an offence in respect of statements admitted in evidence.
- (5) Provision that may be made by the rules by virtue of subsection (3)(e)(ii) includes provision—
- (a) conferring powers of arrest;
 - (b) requiring any arrested person to be brought before the court;
 - (c) authorising the keeping of persons in service custody, and the imposition of requirements on release from service custody (including provision applying section 107(5) and (6) with or without modifications).
- (6) SAC rules may apply, with or without modifications, any enactment or subordinate legislation (whenever passed or made), including any provision made by or under this Act.
- (7) In this section “appeal” means an appeal under section 141.