



Army Act 1955 (repealed)

1955 CHAPTER 18 3 and 4 Eliz 2

PART II

DISCIPLINE AND TRIAL AND PUNISHMENT OF MILITARY OFFENCES

Investigation of, and summary dealing with, charges

[^{F1}83 Regulations as to summary dealings etc.

- (1) The Defence Council may make regulations with respect to the investigation of charges by commanding officers and summary dealings by commanding officers and appropriate superior authorities.
- (2) Regulations under this section may in particular make provision with respect to—
 - (a) the reporting of a charge to a commanding officer;
 - (b) the procedure to be followed by a commanding officer investigating a charge;
 - (c) the delegation by the commanding officer of any of his functions;
 - (d) the charges which are capable of being dealt with summarily;
 - (e) the amendment or substitution of charges;
 - (f) the procedure on summary dealings;
 - (g) limitations on the punishments which may be awarded on a summary dealing by a commanding officer or appropriate superior authority of a specified description;
 - [the procedure for making elections under section 118ZA(2) of this Act and withdrawing such elections;]
 - (h) the information to be provided to a person afforded an opportunity of electing court-martial trial;
 - (i) the procedure for electing court-martial trial, including any period within which any such election may be made;
 - (j) the procedure for requesting leave to withdraw an election for court-martial trial and for withdrawing any such election;

^{F2}(gg)

Status: Point in time view as at 02/10/2000. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Army Act 1955 (repealed), Section 83. (See end of Document for details)

- (k) who may act as the higher authority and the appropriate superior authority in specified descriptions of cases;
 - (l) who is to act as the higher authority and the appropriate superior authority in any particular case.
- (3) A regulation under this section which is inconsistent with the provisions of this Act shall to the extent of the inconsistency be void.]

Textual Amendments

- F1** S. 83 substituted (1.4.1997 subject to art. 3 of the commencing S.I.) by 1996 c. 46, s. 5, **Sch. 1 Pt. 1 para. 5**; S.I. 1997/304, **art. 2** (with transitional provisions in **Sch. 2**)
- F2** S. 83(2)(gg) inserted (2.10.2000) by 2000 c. 4, s. 25, **Sch. 3 para. 4**; S.I. 2000/2366, **art. 2** (with **Sch. para. 13**)

Textual Amendments applied to the whole legislation

- F1** Act: the provisions of the 1955 Acts providing for findings of courts-martial to be subject to confirmation and to revision at the direction of the confirming officer cease to have effect (1.4.1997 subject to art. 3 of the commencing S.I.) by virtue of 1996 c. 46, s. 15; S.I. 1997/304, arts. 2, 3, **Sch. 2**

Status:

Point in time view as at 02/10/2000. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Army Act 1955 (repealed), Section 83.