



Air Force Act 1955 (repealed)

1955 CHAPTER 19 3 and 4 Eliz 2

PART II **U.K.**

DISCIPLINE AND TRIAL AND PUNISHMENT OF AIR-FORCE OFFENCES

Review of summary findings and awards

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**

[^{F1}115 **Review of summary findings and awards** **U.K.**

- (1) This section applies where a charge has been dealt with summarily and a finding has been recorded that the charge has been proved.
- (2) The accused may at any time request a review of the finding or any punishment awarded (or both); and where he does so, the finding or punishment (or both) shall be reviewed.
- (3) The finding or any punishment awarded (or both) may be reviewed at any other time.
- (4) A review under this section shall be carried out in accordance with the provisions of Queen's Regulations.
- (5) A review under this section may be carried out by—
 - (a) the Defence Council;
 - (b) any air-force, naval or military officer superior in command to the officer who dealt summarily with the charge;
 - (c) an air officer appointed by the Defence Council to carry out the review or any class of review which includes the review.

Status: Point in time view as at 01/04/1997.

Changes to legislation: There are currently no known outstanding effects for the Air Force Act 1955 (repealed), Cross Heading: Review of summary findings and awards. (See end of Document for details)

- (6) Section 113AA of this Act shall apply to a review under this section by an authority mentioned in subsection (5) above as it applies to a review under section 113 of this Act by the reviewing authority.
- (7) In the application of section 113AA to reviews under this section, that section shall have effect as if—
- (a) references to the court-martial were references to the officer who dealt summarily with the charge;
 - (b) references to a finding of guilt were references to a finding that the charge has been proved;
 - (c) references to a sentence passed were references to a punishment awarded; and
 - (d) subsections (5)(a) and (6) were omitted.]

Textual Amendments

- F1** S. 115 substituted (1.4.1997) by 1996 c. 46, s. 16, **Sch. 5 para. 7**; S.I. 1997/304, **art. 2** (with **art. 3**, **Sch. 2**)

Status:

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