



Air Force Act 1955 (repealed)

1955 CHAPTER 19 3 and 4 Eliz 2

PART II

DISCIPLINE AND TRIAL AND PUNISHMENT OF AIR-FORCE OFFENCES

[^{F1} The summary appeal court]

[^{F1}83ZJ Rules of summary appeal court.

- (1) The Secretary of State may make rules for the purpose of regulating the practice and procedure to be followed in the summary appeal court.
- (2) Rules under this section may, in particular, make provision—
 - (a) as to the practice and procedure of the court in exercising functions preliminary to or incidental to the hearing of appeals under section 83ZE of this Act;
 - (b) as to the bringing and abandonment of appeals;
 - (c) as to the procedure for applying for leave under section 83ZE(2) or (3) of this Act;
 - (d) as to the procedure for applying for leave, or making a reference, under section 115(5A) or (5B) of this Act;
 - (e) as to consultation by the court administration officer with the Judge Advocate General before specifying where the court is to sit;
 - (f) as to circumstances in which the jurisdiction of the court may be exercised by a judge advocate appointed under section 83ZB of this Act sitting alone;
 - (g) enabling an uncontested appeal to be determined without a hearing;
 - (h) as to the convening and constitution of the court to hear any appeal;
 - (i) as to circumstances in which officers otherwise qualified under section 83ZC of this Act are ineligible to hear particular appeals;
 - (j) enabling the appellant to object to members of the court;
 - (k) as to the representation of the appellant on the hearing of appeals under section 83ZE of this Act and at any preliminary proceedings;

Status: Point in time view as at 02/10/2000. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Air Force Act 1955 (repealed), Section 83ZJ.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

- (l) as to the admissibility of evidence;
 - (m) as to the rehearing of an appeal where any member of the court originally constituted to hear it has been unable to continue hearing the appeal;
 - (n) as to procuring the attendance of witnesses at the hearing of appeals and at any preliminary proceedings;
 - (o) as to the administration of oaths;
 - (p) as to the recording of the proceedings of the court and custody of records of the proceedings;
 - (q) as to making copies of the records of proceedings available and as to the fees payable for such copies;
 - (r) as to the procedure for applying to have a case stated under section 83ZH(2) of this Act.
- (3) Rules under this section may provide for any enactment which relates to the practice or procedure of courts-martial or to the admissibility of evidence in courts-martial to apply in relation to the court with such modifications as may be specified.
- (4) Rules under this section shall be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.]

Textual Amendments

- F1** S. 83ZJ inserted (2.10.2000) by 2000 c. 4, s. 22(1); S.I. 2000/2366, art. 2 (with transitional provisions in art. 3, Sch. para. 14)

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:

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Changes to legislation:

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