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STATUTORY INSTRUMENTS

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**1988 No. 1099**

**POLICE**

**The Ministry of Defence Police (Representation at Disciplinary Proceedings) Regulations 1988**

<i>Made</i>	- - - -	<i>23rd June 1988</i>
<i>Laid before Parliament</i>		<i>27th June 1988</i>
<i>Coming into force</i>	- -	<i>20th July 1988</i>

The Secretary of State for Defence in exercise of the powers conferred by section 4(4) of the Ministry of Defence Police Act 1987(1) and all other powers enabling him in that behalf hereby makes the following Regulations:

**Citation and Commencement**

1. These Regulations may be cited as the Ministry of Defence Police (Representation at Disciplinary Proceedings) Regulations 1988 and shall come into force on 20th July 1988.

**Legal Representation at Disciplinary Hearings**

2.—(1) Where the officer (hereinafter referred to as “the disciplinary officer”) responsible for formulating disciplinary charges against a member of the Ministry of Defence Police of the rank of chief superintendent or below is of the opinion that there should, on a finding of guilt, be available the punishments of dismissal, requirement to resign or reduction in rank, he shall, on the copy of the discipline form served on the member, give the member an opportunity to elect, in the manner prescribed therein, either to be legally represented at the disciplinary hearing or to be represented by another member of the Ministry of Defence Police.

(2) The disciplinary officer shall also inform in writing the member of the Ministry of Defence Police entitled to elect to be legally represented at the disciplinary hearing that he may be so represented either by counsel or by a solicitor.

(3) Any member of the Ministry of Defence Police, upon whom a discipline form is served, and who, under Regulation 2(1), is entitled to elect to be legally represented, shall, within fourteen days of such service, signify in the manner prescribed on the discipline form whether or not he wishes to be legally represented at the disciplinary hearing.

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(4) For the purposes of these Regulations the discipline form means the form used by the Ministry of Defence Police in notifying any member of the Ministry of Defence Police of the rank of chief superintendent or below of any disciplinary charges brought against such member.

Dated 23rd June 1988

*George Younger*  
One of Her Majesty's Principal Secretaries of  
State

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## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations lay down the procedure for notifying a member of the Ministry of Defence Police of the rank of chief superintendent or below of his right to be legally represented at a disciplinary hearing where, if found guilty, such member would be liable to a punishment of dismissal, requirement to resign or reduction in rank.