
STATUTORY INSTRUMENTS

1997 No. 14

DEFENCE

**The Rules of Procedure (Air Force)
(Amendment No. 2) Rules 1997**

<i>Made</i>	- - - -	<i>8th January 1997</i>
<i>Laid before Parliament</i>		<i>9th January 1997</i>
<i>Coming into force</i>	- -	<i>1st February 1997</i>

The Secretary of State, in exercise of the powers conferred on him by sections 103 and 209 of the Air Force Act 1955⁽¹⁾, hereby makes the following Rules:—

1. These Rules may be cited as the Rules of Procedure (Air Force) (Amendment No. 2) Rules 1997 and shall come into force on 1st February 1997.

2. In the Rules of Procedure (Air Force) 1972⁽²⁾, in rule 9(d), for the words which the accused is to be asked there shall be substituted the following words:

“Do you wish to say anything? You do not have to say anything but it may harm your defence if you do not mention now something which you later rely on in court. If you do wish to say anything, it must be evidence given on oath. Any evidence you give will be taken down in writing and may be given in evidence in court.”.

8th January 1997

James Arbuthnot
Minister of State, Ministry of Defence

⁽¹⁾ 1955 c. 19. There are amendments which are not relevant to the present Rules.

⁽²⁾ S.I. 1972/419, amended by S.I. 1974/752, 1976/1772, 1977/94, 1981/1219, 1982/368, 1983/718, 1986/2125, 1987/2000, 1987/2172, 1989/2129, 1991/2786 and 1996/1389.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Rules of Procedure (Air Force) 1972 in consequence of the Criminal Justice and Public Order Act 1994 (Application to the Armed Forces) Order 1997 (S.I.1997/16) which applies sections 34 to 38 of the 1994 Act to the Armed Forces. The amendment substitutes a new form of words which an accused is to be asked under Rule 9(d) when evidence is being taken. The new words will inform the accused that it may harm his defence not to mention something which he later relies on in court.