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STATUTORY INSTRUMENTS

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**1997 No. 169**

**The Courts-Martial (Army) Rules 1997**

**PART VII**

**REVIEW OF COURT-MARTIAL FINDING AND SENTENCE**

**The petition**

**82.**—(1) The period within which an accused may present a petition against finding or sentence or both in accordance with section 113(1) of the Act shall be 28 days following the day on which sentence is announced.

(2) A petition presented in accordance with section 113(1) of the Act shall be in writing and signed by the accused, or on his behalf by his legal adviser.

(3) Petitioners shall have regard to the guidance on the content of a petition contained in Schedule 5 to these Rules.

(4) A petition addressed to the Defence Council shall be treated as having been presented to the Defence Council if it is presented by the petitioner—

(a) to the Director of Personal Services (Army); or

(b) where the petitioner is—

(i) in custody or detention in any civil prison or institution, to the governor of the prison or institution;

(ii) detained in any military or air force establishment or in naval detention quarters, to the commandant of the establishment or quarters.

(5) A person to whom a petition is presented under paragraph (4)(b) above shall transmit it to the Director of Personal Services (Army) immediately upon receipt.