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STATUTORY INSTRUMENTS

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**1997 No. 172**

**The Standing Civilian Courts Order 1997**

**PART I**

**PRELIMINARY**

**Interpretation**

**2.** In this Order—

“the 1976 Act” means the Armed Forces Act 1976;

“the 1955 Act” means—

(a) where the accused is being prosecuted under the Army Act 1955(1), that Act,

(b) where the accused is being prosecuted under the Air Force Act 1955(2), that Act;

“commanding officer”, in relation to an accused, means the officer determined by or under regulations of the Defence Council under section 209(3)(f) of the 1955 Act for the purposes of investigation of offences;

“courts-martial rules” means—

(a) where the accused is being prosecuted under the Army Act 1955, the Courts-Martial (Army) Rules 1997(3);

(b) where the accused is being prosecuted under the Air Force Act 1955, the Courts-Martial (Royal Air Force) Rules 1997(4);

“magistrate” means the magistrate for any sitting or succession of sittings of a Standing Civilian Court specified by or on behalf of the Judge Advocate General;

“period of parental recognisance” means a period specified in an order made against the accused’s parent or guardian under paragraph 14(1) of Schedule 5A to the Army Act 1955, of Schedule 5A to the Air Force Act 1955 or of Schedule 4A to the Naval Discipline Act 1957(5), in respect of an offence previously committed by that accused;

“the prosecution papers” has the meaning assigned to it in article 9(2);

“the prosecutor” means the prosecuting authority or any prosecuting officer appointed by the prosecuting authority;

“a service parent or guardian” shall be construed in accordance with paragraph 2(2) of Schedule 5A to the 1955 Act;

“special finding” shall be construed in accordance with article 70.

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(1) 1955 c. 18.  
(2) 1955 c. 19.  
(3) S.I.1997/169.  
(4) S.I. 1997/171.  
(5) 1957 c. 53.

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**Status:** This is the original version (as it was originally made).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

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