

## SCHEDULE

Article 2

### Amendments of Service Discipline Acts: trial of civilians by courts-martial

#### **Army Act 1955**

**1.**—(1) Section 209 of the Army Act 1955<sup>(1)</sup> (application of Act to civilians) is amended as follows.

(2) In subsection (3) paragraphs (fa) and (faa) are repealed.

(3) Before subsection (4) there is inserted—

“(3D) Rules under section 103 may, in relation to a court-martial for the trial of a person mentioned in subsection (1) or (2) above (whether alone or with other persons), make provision—

(a) as to the persons who may be appointed under section 84D(1)(a) or (c) or (2)(a) or (c) as members of the court-martial (and the rules may in particular provide that persons other than military officers or military warrant officers may be so appointed);

(b) modifying the application of Part 2 of this Act in consequence of any provision made by virtue of paragraph (a).”

#### **Air Force Act 1955**

**2.**—(1) Section 209 of the Air Force Act 1955<sup>(2)</sup> (application of Act to civilians) is amended as follows.

(2) In subsection (3) paragraphs (fa) and (faa) are repealed.

(3) Before subsection (4) there is inserted—

“(3D) Rules under section 103 may, in relation to a court-martial for the trial of a person mentioned in subsection (1) or (2) above (whether alone or with other persons), make provision—

(a) as to the persons who may be appointed under section 84D(1)(a) or (c) or (2)(a) or (c) as members of the court-martial (and the rules may in particular provide that persons other than air-force officers or air-force warrant officers may be so appointed);

(b) modifying the application of Part 2 of this Act in consequence of any provision made by virtue of paragraph (a).”

#### **Naval Discipline Act 1957**

**3.**—(1) Section 118 of the Naval Discipline Act 1957<sup>(3)</sup> (application to certain civilians) is amended as follows.

(2) For subsection (3A) substitute—

“(3A) Rules under section 58 may, in relation to a court-martial for the trial of a person mentioned in subsection (1) or (2) above (whether alone or with other persons), make provision—

---

(1) 1955 c.18  
(2) 1955 c. 19  
(3) 1957 c.53

**Status:** This is the original version (as it was originally made).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

- (a) as to the persons who may be appointed under section 54(1)(a) or (c) as members of the court-martial (and the rules may in particular provide that persons other than naval officers or naval warrant officers may be so appointed);
  - (b) modifying the application of Part 2 of this Act in consequence of any provision made by virtue of paragraph (a).”
- (3) In subsection (3B) for “such a person” substitute “a person mentioned in subsection (1) or (2) above”.