
STATUTORY INSTRUMENTS

2007 No. 3442

The Courts-Martial (Army) Rules 2007

PART 3

COURT ADMINISTRATION

Ineligibility for membership of courts-martial

21.—(1) An officer or warrant officer shall not be eligible to be a member of a court-martial for the purpose of any proceedings against an accused if—

- (a) he serves under the command of—
 - (i) the higher authority who referred the case against the accused to the prosecuting authority;
 - (ii) the prosecuting authority;
 - (iii) the court administration officer;
- (b) he serves in the same unit as the accused; or
- (c) he—
 - (i) has a general qualification within the meaning of section 71 of the Courts and Legal Services Act 1990;
 - (ii) is an advocate or a solicitor in Scotland;
 - (iii) is a member of the Bar of Northern Ireland or a solicitor of the Supreme Court of Northern Ireland;
 - (iv) has in any of the Channel Islands, the Isle of Man, a Commonwealth country or British overseas territory rights and duties similar to those of a barrister or solicitor in England and Wales, and is subject to punishment or disability for breach of professional rules.