
STATUTORY INSTRUMENTS

2009 No. 1209

The Armed Forces (Service Civilian Court) Rules 2009

[^{F1}Part 14A

Variation Proceedings

[^{F1}**Power to order offender's release from custody**

99F.—(1) This rule applies where an offender is in custody by virtue of an original sentence made by the court.

(2) The judge advocate may order that the offender be released immediately if, within the period of 56 days beginning on the day which the original sentence was imposed, it appears to the judge advocate that—

- (a) the court had no power to impose such a sentence, or
- (b) the maximum term for which the court had power to award such a sentence has expired.

(3) The power conferred by this rule may not be exercised in relation to any sentence if an appeal, or an application for leave to appeal, against the sentence has been determined.

(4) This rule is without prejudice to any other provision in this Part.]

Textual Amendments

F1 Pt. 14A inserted (13.11.2023) by [The Armed Forces \(Amendment of Court Rules\) Rules 2023 \(S.I. 2023/1097\)](#), rules 1(2), 5

Changes to legislation:

There are currently no known outstanding effects for the The Armed Forces (Service Civilian Court) Rules 2009, Section 99F.