
STATUTORY INSTRUMENTS

2009 No. 2041

The Armed Forces (Court Martial) Rules 2009

PART 4

MEMBERS OF THE COURT

Warrant officers [^{F1}and OR-7s]

31.—(1) For any proceedings with lay members where every person to whom the proceedings relate is of or below the rank or rate of warrant officer, the number prescribed for the purposes of section 155(3) (that is to say, the number of lay members who may be [^{F2}warrant officers or OR-7 ranks] rather than officers) is [^{F3}—

- (a) one, if there are three or four lay members; or
- (b) two, if there are five or six lay members.]

[^{F4}(1A) The number prescribed by paragraph (1) may consist of, or include no more than, one OR-7 rank if every person to whom the proceedings relate is of or below that rank or rate.]

(2) For any proceedings with lay members where any person to whom the proceedings relate is an officer subject to service law, every lay member must be an officer qualified for membership under section 156 and not ineligible by virtue of section 157 or rule 32; and section 155(3) shall not apply in relation to any such proceedings.

Textual Amendments

- F1** Words in [rule 31](#) heading inserted (1.1.2023) by [The Armed Forces \(Court Martial\) \(Amendment\) Rules 2022 \(S.I. 2022/1264\)](#), [rules 1\(2\)](#), **8(2)**
- F2** Words in [rule 31\(1\)](#) substituted (1.1.2023) by [The Armed Forces \(Court Martial\) \(Amendment\) Rules 2022 \(S.I. 2022/1264\)](#), [rules 1\(2\)](#), **8(3)(a)**
- F3** Words in [rule 31\(1\)](#) substituted (1.1.2023) by [The Armed Forces \(Court Martial\) \(Amendment\) Rules 2022 \(S.I. 2022/1264\)](#), [rules 1\(2\)](#), **8(3)(b)**
- F4** [Rule 31\(1A\)](#) inserted (1.1.2023) by [The Armed Forces \(Court Martial\) \(Amendment\) Rules 2022 \(S.I. 2022/1264\)](#), [rules 1\(2\)](#), **8(3)(c)**

Changes to legislation:

There are currently no known outstanding effects for the The Armed Forces (Court Martial) Rules 2009, Section 31.