
STATUTORY INSTRUMENTS

2009 No. 2041

The Armed Forces (Court Martial) Rules 2009

PART 11

ATTENDANCE OF WITNESSES

Notification of witnesses

62.—^{F1}(1) Where any person is required to give evidence in any proceedings, the person must be notified of the time and place at which they are required to attend by—

- (a) the Director, if the person is required to give evidence by the Director; or
- (b) the court administration officer.]

(2) When the court administration officer gives notice of any proceedings to a party to the proceedings other than the Director, he shall offer to notify any person whom the party may require to give evidence.

(3) Where a witness summons is issued under rule 63 or 65, the court administration officer shall serve it on the person to whom it is directed.

^{F2}(4) Where the Director is required to notify a person under this rule and in the opinion of the Director it is not reasonably practicable to do so, the Director must give notice of that fact to the judge advocate.

(5) Where the court administration officer is required to notify a person under this rule or serve a witness summons on a person and in the opinion of the court administration officer it is not reasonably practicable to do so, the court administration officer must give notice of that fact to the judge advocate and the party who wishes the person to attend.]

Textual Amendments

- F1** Rule 62(1) substituted (1.1.2023) by [The Armed Forces \(Service Court Rules\) \(Amendment\) \(No. 2\) Rules 2022 \(S.I. 2022/1263\)](#), rules 1(2), **6(2)**
- F2** Rule 62(4)(5) substituted for rule 62(4) (1.1.2023) by [The Armed Forces \(Service Court Rules\) \(Amendment\) \(No. 2\) Rules 2022 \(S.I. 2022/1263\)](#), rules 1(2), **6(3)**

Status:

Point in time view as at 01/01/2023.

Changes to legislation:

There are currently no known outstanding effects for the The Armed Forces (Court Martial) Rules 2009, Section 62.