
STATUTORY INSTRUMENTS

2009 No. 2100

The Court Martial and Service Civilian Court (Youth Justice and Criminal Evidence Act 1999) Rules 2009

PART 1

General

Citation and commencement

1. These Rules may be cited as the Court Martial and Service Civilian Court (Youth Justice and Criminal Evidence Act 1999) Rules 2009 and shall come into force on 31st October 2009.

Application

2. These Rules apply to any proceedings before the Court Martial and the Service Civilian Court.

Interpretation

3.—(1) In these Rules—

“the 1999 Act” means the Youth Justice and Criminal Evidence Act 1999;

“the 2006 Act” means the Armed Forces Act 2006;

“Court Martial Rules” means the Armed Forces (Court Martial) Rules 2009(1);

“SCC Rules” means the Armed Forces (Service Civilian Court) Rules 2009(2);

“defendant”—

(a) in relation to proceedings before the Court Martial, means a person against whom a charge regarded for the purposes of Part 5 of the 2006 Act as allocated for Court Martial trial has been brought;

(b) in relation to proceedings before the Service Civilian Court, means a person against whom a charge regarded for the purposes of Part 5 of the 2006 Act as allocated for Service Civilian Court trial has been brought;

(c) in relation to appellate proceedings within the meaning of Court Martial Rules, means the appellant;

“the Director” means the Director of Service Prosecutions;

“the judge advocate”—

(a) in relation to any proceedings before the Court Martial, means the judge advocate specified for the proceedings under section 155(5) of the 2006 Act;

(b) in relation to any proceedings before the Service Civilian Court, means the judge advocate specified for the proceedings under section 278(2) of the 2006 Act;

(1) [S.I. 2009/2041](#).

(2) [S.I. 2009/1209](#).

“legal representative”—

- (a) in relation to proceedings before the Court Martial, means a person appointed under rule 39 of the Court Martial Rules;
 - (b) in relation to proceedings before the Service Civilian Court, means a person appointed under rule 26 of the SCC Rules.
- (2) A reference in these Rules to proceedings—
- (a) in relation to proceedings before the Court Martial, has the same meaning as in Part 1 of the Court Martial Rules;
 - (b) in relation to proceedings before the Service Civilian Court, has the same meaning as in Part 1 of the SCC Rules.
- (3) A reference in these Rules to a party to any proceedings—
- (a) in relation to proceedings before the Court Martial, has the same meaning as in Part 1 of the Court Martial Rules;
 - (b) in relation to proceedings before the Service Civilian Court, has the same meaning as in Part 1 of the SCC Rules.