

2015 No. 727

DEFENCE

The Youth Justice and Criminal Evidence Act 1999 (Application to Service Courts) (Amendment) Order 2015

Made - - - - - *16th March 2015*

Laid before Parliament *18th March 2015*

Coming into force in accordance with article 1

The Secretary of State makes the following Order in exercise of the powers conferred by section 61(2) of the Youth Justice and Criminal Evidence Act 1999(a).

Citation and commencement

1. This Order may be cited as the Youth Justice and Criminal Evidence Act 1999 (Application to Service Courts) (Amendment) Order 2015 and comes into force on the day on which, and immediately after, section 78 of the Criminal Justice and Courts Act 2015(b) comes into force.

Interpretation

2. In this Order “the 2009 Order” means the Youth Justice and Criminal Evidence Act 1999 (Application to Service Courts) Order 2009(c).

Amendments to the 2009 Order

3.—(1) Article 13 (modification of reporting restrictions provisions) of the 2009 Order is amended as follows.

(2) In paragraph (4), after sub-paragraph (a) insert—

“(aa) section 45A(2), (5) to (11), (13) and (14) of the Act.”.

(3) In paragraph (5), for “Section 46(4)(d)(iii) and section 47(4)(a) and (5)(a)” substitute “Section 45A(3)(a), (6)(d) and (7)(b), section 46(1) and (4)(d) and section 47(4) to (6)”.

16th March 2015

Anna Soubry
Minister of State
Ministry of Defence

(a) 1999 c. 23.
(b) 2015 c. 2.
(c) S.I. 2009/2083.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends article 13 of the Youth Justice and Criminal Evidence Act 1999 (Application to Service Courts) Order 2009 (“the 2009 Order”). Article 13 modifies the effect of Chapter 4 of Part 2 of the Youth Justice and Criminal Evidence Act 1999 (c. 23) (and sections 63 and 65 of that Act so far as having effect for the purposes of that Chapter) for the purposes of proceedings before the Court Martial, the Service Civilian Court and the Court Martial Appeal Court. Chapter 4 contains provisions allowing courts to impose reporting restrictions in certain proceedings.

Section 78 of the Criminal Justice and Courts Act 2015 (c. 2) amends Chapter 4 by inserting a new section 45A, which contains provisions allowing courts to impose reporting restrictions in certain proceedings for the lifetime of witnesses and victims under 18. Article 3 of this Order inserts new provisions into Article 13 of the 2009 Order to modify the effect of section 45A for the purposes of proceedings before the Court Martial, the Service Civilian Court and the Court Martial Appeal Court.

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