

**2024 No. 1062**

**COURT MARTIAL (APPEALS)**

**The Costs in the Court Martial Appeal Court (Amendment)  
Regulations 2024**

<i>Made</i> - - - -	<i>22nd October 2024</i>
<i>Laid before Parliament</i>	<i>28th October 2024</i>
<i>Coming into force</i> - -	<i>20th November 2024</i>

The Lord Chancellor makes these Regulations in exercise of the powers conferred by sections 31(4) and 33B(1)(e) of the Court Martial Appeals Act 1968(a) and regulations 13(6)(b) and 18(1)(e) of the Armed Forces (Appeals Against Review of Sentence) Regulations 2024(b).

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the Costs in the Court Martial Appeal Court (Amendment) Regulations 2024.

(2) These Regulations come into force on 20th November 2024.

(3) These Regulations extend to England and Wales, Scotland, Northern Ireland, the Isle of Man and the British overseas territories (excluding Gibraltar).

**Amendment of the Costs in the Court Martial Appeal Court Regulations 2012**

2. The Costs in the Court Martial Appeal Court Regulations 2012(c) are amended as follows.

**Application to appeals against a review of sentence**

3. After regulation 3, insert—

**“Application to appeals against a review of sentence**

**3A.**—(1) These Regulations apply to appeals against a review of sentence under section 304D or 304E of the Armed Forces Act 2006 as they apply to appeals falling within regulation 2 but with the modifications specified in paragraph (2).

(2) The modifications are that—

(a) any reference to a “determination” is to be read as including a determination under regulation 13(6) of the 2024 Regulations;

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(a) 1968 c. 20.  
(b) S.I. 2024/619.  
(c) S.I. 2012/1805.

- (b) any reference to a “direction” is to be read as including a direction under regulation 13(2) of the 2024 Regulations with respect to which such a determination is made;
- (c) any reference to an “appellant” (however expressed) has effect as a reference to an offender.

(3) In this Regulation—

“2024 Regulations” means the Armed Forces (Appeals Against Review of Sentence) Regulations 2024;

“offender” has the meaning given for the purpose of the 2024 Regulations.”.

Signed by the authority of the Lord Chancellor

22nd October 2024

*Heidi Alexander*  
Minister of State  
Ministry of Justice

### EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Costs in the Court Martial Appeal Court Regulations 2012 (S.I. 2012/1805) (the “2012 Regulations”) so that they apply to appeals against a review of sentence under section 304D or 304E of the Armed Forces Act 2006 (c. 52).

The 2012 Regulations set out the procedures for the determination of the sums to be paid where the Court Martial Appeal Court directs the Secretary of State to pay the costs of an individual who has successfully appealed against their conviction or sentence.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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