STATUTORY INSTRUMENTS

1968 No. 1921

DEFENCE

The Rules of Procedure (Air Force) (Second Amendment) Rules 1968

Made - - - -	*2nd December* 1968
Laid before Parliament	*10th December* 1968
Coming into Operation	*1st January* 1969

The Secretary of State in exercise of the powers conferred upon him by sections 103, 104, 105 and 106 of the Air Force Act 1955(a) and of all other powers enabling him in that behalf hereby makes the following Rules:—

Citation and Commencement

1. These Rules may be cited as the Rules of Procedure (Air Force) (Second Amendment) Rules 1968 and shall come into operation on the 1st January 1969.

Interpretation

2. The Interpretation Act 1889(b) shall apply to the interpretation of these Rules as it applies to an Act of Parliament.

Amendment to the Rules of Procedure (Air Force) 1956

3.—(1) The Rules of Procedure (Air Force) 1956(c), as amended (d), shall be further amended in accordance with the following provisions of this Rule.

(2) In Part (2) of the Second Schedule (Statements of Offences—Air Force Act 1955):—

(*a*) for the detail under Section 44(1)(*b*) there shall be substituted:—

"Handling stolen goods contrary to section 44(1)(*b*) of the Air Force Act, 1955"

(*b*) for the detail under Section 45(*b*) there shall be substituted:—

"Handling stolen goods contrary to section 45(*b*) of the Air Force Act, 1955".

(a) 1955 c. 19. (b) 1889 c. 63. (c) S.I. 1956/163 (1956 II, p. 2020).
(d) The relevant amending instruments are S.I. 1967/62, 1967/1466 (1967 I, p. 118; 1967 III, p. 4149).

(3) In Part (3) of the Second Schedule (Illustrations of Charge-Sheets) for Illustration (i) there shall be substituted the following:—

"CHARGE-SHEET

The accused, No 153 Leading Aircraftman John Smith of No 2 Squadron, Royal Air Force Station Andover, an airman of the regular air-force, is charged with:—

1st charge — STEALING PUBLIC PROPERTY CONTRARY TO SECTION 44(1)(*a*) OF THE AIR FORCE ACT 1955

in that he

at Uxbridge on 1st January, 1969 stole a pair of binoculars, public property.

2nd charge (alternative to the 1st charge) — HANDLING STOLEN GOODS CONTRARY TO SECTION 44(1)(*b*) OF THE AIR FORCE ACT, 1955

in that he

at Uxbridge on 1st January, 1969, knowing or believing a pair of binoculars, stolen public property, to be stolen, dishonestly received them.

A. B. JONES, Group Captain,
Commanding Royal Air Force Station,
Andover

Andover
7th January, 1969

To be tried by District Court-Martial

C. D. BROWN, Air Vice-Marshal
Commanding No 06 Group

Leeds
9th January, 1969"

Denis Healey,
One of Her Majesty's Principal
Secretaries of State.

Dated 2nd December 1968.

EXPLANATORY NOTE

(*This Note is not part of the Rules.*)

These Rules amend the Rules of Procedure (Air Force) 1956 to take account of the amendments to sections 44(1)(*b*) and 45(*b*) of the Air Force Act 1955 effected by the Theft Act 1968 in substituting in these sections references to handling stolen goods for the references to receiving stolen property.