STATUTORY INSTRUMENTS

1968 No. 1180

DEFENCE

The Rules of Procedure (Army) (Amendment) Rules 1968

Made - - -	*24th July* 1968
Laid before Parliament	*31st July* 1968
Coming into Operation	*1st September* 1968

The Secretary of State in exercise of the powers conferred upon him by sections 103, 104, 105 and 106 of the Army 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 (Army) (Amendment) Rules 1968 and shall come into operation on 1st September 1968.

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 (Army) 1956(c)

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

(2) In paragraph (3) of Rule 22:—

(*a*) for the words "Criminal Appeal Act 1964(e)" there shall be substituted the words "Courts-Martial (Appeals) Act 1968(f)";

(*b*) for the words "paragraph 2 of Schedule I to" there shall be substituted the words "sub-section (3) of section 19 of";

(*c*) for the words "paragraph 4 of the said Schedule" there shall be substituted the words "sub-section (4) of the said section";

(*d*) for the words "paragraph 8 of the said Schedule" there shall be substituted the words "Part II of Schedule 1 to the said Act".

(3) In paragraph (3)(*a*) of Rule 93, after the word "president" where it twice occurs, there shall be added the words "or judge advocate".

(4) In paragraph (2) of Rule 101:—

(*a*) for the words "Courts-Martial (Appeals) Act, 1951(g)" there shall be substituted the words "Courts-Martial (Appeals) Act 1968";

(*b*) for the words "section 22" there shall be substituted the words "section 49".

(a) 1955 c. 18. (b) 1889 c. 63. (c) S.I. 1956/162 (1956 I, p. 213).
(d) The relevant amending instruments are S.I's 1964/489 (1964 I p. 794) and 1964/1864 (1964 III, p. 4170). (e) 1964 c. 43. (f) 1968 c. 20. (g) 1951 c. 46.

(5) In Form (5) in the Fourth Schedule, after the words "signed by the president" wherever they occur in the said form there shall be added the words "or judge advocate".

Dated 24th July 1968.

Denis Healey,

One of Her Majesty's Principal Secretaries of State.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules amend the Rules of Procedure (Army) 1956:—

(*a*) by substituting for the references in Rules 22(3) and 101(2) to the Courts-Martial (Appeals) Act 1951 and the Criminal Appeal Act 1964, both repealed, references to the consolidating Courts-Martial (Appeals) Act 1968.

(*b*) by making provision in Rule 93 and Form 5 for a judge advocate to mark exhibits whether sitting alone or with the president and members of the court-martial.