STATUTORY INSTRUMENTS

1968 No. 1898

DEFENCE

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

Made - - -	*29th November* 1968
Laid before Parliament	*6th 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 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) (Second Amendment) Rules 1968 and shall come into operation on 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 (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 part (2) of the Second Schedule (Statements of Offences—Army 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 Army Act 1955"

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

"Handling stolen goods contrary to section 45(*b*) of the Army Act 1955"

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

"CHARGE SHEET

The accused No. 87654321 Private John Black, 1st Battalion The Loamshire Regiment, a soldier of the regular forces is charged with :—

(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. 1961/2223, 1967/46, 1967/1469 (1961 III, p. 3903; 1967 I, p. 113; 1967 III, p. 4157).

1st Charge —STEALING PUBLIC PROPERTY CONTRARY TO SECTION 44(1)(*a*) OF THE ARMY ACT 1955
in that he
at Catterick 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 ARMY ACT 1955
in that he
at Catterick on 1st January 1969 dishonestly received a pair of binoculars, stolen public property, knowing or believing the same to be stolen.

B. C. Green, Lieut. Colonel,
Commanding, 1st Battalion
The Loamshire Regiment
Commanding Officer of the accused.

Catterick
16th January 1969.

To be tried by District Court-Martial.

A. D. White, Brigadier,
Commanding 1st Infantry Brigade.

Catterick
17th January 1969".

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

Dated 29th November 1968.

EXPLANATORY NOTE

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

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