STATUTORY INSTRUMENTS

# 1987 No. 2173

# DEFENCE

# The Standing Civilian Courts (Amendment No. 2) Order 1987

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| *Made - - - -* | *16th December 1987* |
| *Laid before Parliament* | *17th December 1987* |
| *Coming into force* | *1st January 1988* |

The Secretary of State in exercise of the powers conferred on him by section 22(4) of and paragraph 12 of Schedule 3 to the Armed Forces Act 1976**(a)**, hereby makes the following Order:

**Citation and Commencement**

**1.** This Order may be cited as the Standing Civilian Courts (Amendment No. 2) Order 1987 and shall come into force on 1st January 1988.

**Amendment**

**2.** The Standing Civilian Courts (Amendment) Order 1987**(b)** shall take effect as if for article 3(3) there were substituted:

"(3) For article 49(2)(a)(ii) there shall be substituted the following:–

"(ii) subject to paragraph (3) below, any previous convictions of his by a civil court, court-martial or a Standing Civilian Court, including a conviction by a Standing Civilian Court in respect of which the award of sentence has been deferred under paragraph 2A of Schedule 5A to the Act of 1955, except, in the case of an accused who has attained 21 years of age, any conviction before he had attained 14 years of age;".".

*George Younger*
Secretary of State for Defence

Dated 16th December 1987

**(a)** 1976 c.52; paragraph 12 of Schedule 3 was amended by the Armed Forces Act 1986 (c.21), section 9(3).
**(b)** S.I. 1987/2001.

## EXPLANATORY NOTE

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

Article 3(3) of the Standing Civilian Courts (Amendment) Order 1987 was intended to substitute fresh provision for article 49(2)(a)(ii) of the Standing Civilian Courts Order 1977 (S.I. 1977/88) but misdescribed that provision as article 49(ii) and omitted a comma from the text. This Order therefore corrects those errors by substituting a new article 3(3) in the Amendment Order.