STATUTORY INSTRUMENTS

2015 No. 1814

COURT MARTIAL (APPEALS)

The Court Martial Appeal Court (Amendment) Rules 2015

Made - - - -	*21st October 2015*
Laid before Parliament	*23rd October 2015*
Coming into force - -	*16th November 2015*

The Lord Chief Justice, in exercise of the power conferred by section 49 of the Court Martial Appeals Act 1968(**1**), including that section as extended by section 163(9) of the Armed Forces Act 2006(**2**), and with the agreement of the Lord Chancellor, makes the following Rules:

Citation and commencement

1. These Rules may be cited as the Court Martial Appeal Court (Amendment) Rules 2015 and shall come into force on 16th November 2015.

Court Martial Appeal Court rules

2. The Court Martial Appeal Court Rules 2009(**3**) are amended as follows.

3. In paragraph (2) of rule 2 (interpretation), after the definition of "the commission" insert—

> ""the complainant", in relation to any offence (or alleged offence), means a person against or in relation to whom the offence was (or is alleged to have been) committed;".

4. After rule 16 (interpreters), insert—

(**1**) 1968 c. 20; section 49 was amended and partly repealed by the Constitutional Reform Act 2005 (c. 4), section 12(2) and Schedule 1, Part 2, paragraph 9 and by section 146 and Schedule 18, Part 1. The amendments provide for rules under section 49 to be made in accordance with Part 1 of Schedule 1 to the 2005 Act. The short title of the former Courts-Martial (Appeals) Act 1968 was changed to the Court Martial Appeals Act 1968 by the Armed Forces Act 2006 (c. 52), section 272(2) and Schedule 8, paragraph 53.

(**2**) 2006 c. 52. By section 163(3)(i) of that Act, Court Martial rules may make provision for appeals against orders or rulings as there set out. Section 163(9) of that Act enables Court Martial rules to confer jurisdiction on the Court Martial Appeal Court and confirms that rules under section 49 of the 1968 Act may make provision about the powers of the Court Martial Appeal Court in relation to appeals made by virtue of section 163(3)(i).

(**3**) S.I. 2009/2657, amended by S.I. 2013/2524.