



Armed Forces Act 1996

1996 CHAPTER 46

Review and appeal

17 Appeals against sentence.

- (1) The ^{M1}Courts-Martial (Appeals) Act 1968 shall be amended as follows.
- (2) In section 8 (right of appeal)—
 - (a) in subsection (1), for the words from “against” (in the first place it appears) to the end there shall be substituted the words “—
 - (a) against his conviction; and
 - (b) against any sentence (not being a sentence fixed by law) passed on him for the offence for which he was convicted.”;
 - (b) in subsection (1A), paragraph (a) shall cease to have effect;
 - (c) subsection (5) shall cease to have effect.
- ^{F1}(3)
- (4) In section 34 (reference of cases by Service authorities), for subsection (4) there shall be inserted the following subsections—
 - “(4) The Secretary of State may, if consideration by the Appeal Court appears to him for any reason desirable, refer the sentence passed on any person convicted by a court-martial to the Appeal Court.
 - (5) Any reference under subsection (4) above shall be treated as an appeal by the person convicted against sentence for all purposes except those of section 32 of this Act.”
- ^{F2}(5)
- ^{F3}(6)
- (7) In section 57 (interpretation), after the definition of “the registrar” there shall be inserted the words “; and

Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 1996, Section 17. (See end of Document for details)

“sentence”, in relation to an offence, includes any order made by a court when dealing with an offender.”

Textual Amendments

- F1** S. 17(3) repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), [Sch. 17](#); [S.I. 2009/812](#), art. 3(a)(b) (with transitional provisions in [S.I. 2009/1059](#)); [S.I. 2009/1167](#), art. 4
- F2** S. 17(5) repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), [Sch. 17](#); [S.I. 2009/812](#), art. 3(a)(b) (with transitional provisions in [S.I. 2009/1059](#)); [S.I. 2009/1167](#), art. 4
- F3** S. 17(6) repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), [Sch. 17](#); [S.I. 2009/812](#), art. 3(a)(b) (with transitional provisions in [S.I. 2009/1059](#)); [S.I. 2009/1167](#), art. 4
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Marginal Citations

- M1** 1968 c. 20.

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