



Counter-Terrorism Act 2008

2008 CHAPTER 28

PART 8

SUPPLEMENTARY PROVISIONS

General definitions

95 Meaning of “service court” and “service offence”

- (1) In this Act “service court” means the Court Martial, the Service Civilian Court or the Court Martial Appeal Court.
- (2) Until the commencement of the relevant provisions of the Armed Forces Act 2006 (c. 52), the following is substituted for subsection (1)—
 - “(1) In this Act “service court” means—
 - (a) a court-martial constituted under the Army Act 1955 (3 & 4 Eliz. 2 c. 18), the Air Force Act 1955 (3 & 4 Eliz. 2 c. 19) or the Naval Discipline Act 1957 (c. 53);
 - (b) the Courts-Martial Appeal Court; or
 - (c) a Standing Civilian Court.”
- (3) In this Act “service offence” means an offence under—
 - (a) section 42 of the Armed Forces Act 2006,
 - (b) section 70 of the Army Act 1955 or the Air Force Act 1955, or
 - (c) section 42 of the Naval Discipline Act 1957.
- (4) References in this Act to the “corresponding civil offence” in relation to a service offence are—
 - (a) in relation to an offence under section 42 of the Armed Forces Act 2006, to the corresponding offence under the law of England and Wales within the meaning of that section;

Changes to legislation: There are currently no known outstanding effects for the Counter-Terrorism Act 2008, Section 95. (See end of Document for details)

- (b) in relation to an offence under section 70 of the Army Act 1955 or the Air Force Act 1955, to the corresponding civil offence within the meaning of that Act;
 - (c) in relation to an offence under section 42 of the Naval Discipline Act 1957, to the civil offence within the meaning of that section.
- (5) Section 48 of the Armed Forces Act 2006 (c. 52) (supplementary provisions relating to ancillary service offences) applies for the purposes of subsection (4)(a) above as it applies for the purposes of the provisions of that Act referred to in subsection (3) (b) of that section.

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