
Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 2021, Paragraph 1. (See end of Document for details)

SCHEDULES

SCHEDULE 1

CONSTITUTION OF THE COURT MARTIAL

Number and rank of the lay members

- 1 (1) Section 155 of AFA 2006 (constitution of the Court Martial) is amended as follows.
 - (2) In subsection (1)(b), for “at least three but not more than five” substitute “three or, in the case of proceedings of a prescribed description, six”.
 - (3) In subsection (2), omit paragraph (a) (together with the final “or”).
 - (4) After subsection (2) insert—
 - “(2A) In the case of proceedings where the number of lay members would (but for this subsection) be three, a judge advocate may, in accordance with Court Martial rules, direct that the number of lay members is to be four.”
 - (5) In subsection (3)(a), for “or warrant officers” substitute “, warrant officers or OR-7 ranks”.
 - (6) After subsection (6) insert—
 - “(6A) Court Martial rules may provide that in prescribed circumstances the Court Martial is to remain validly constituted despite the reduction of the number of lay members—
 - (a) from six to five, or
 - (b) where a direction has been made under subsection (2A), from four to three,if a judge advocate gives a direction to that effect.”
 - (7) Omit subsections (7) and (8).
 - (8) For subsection (9) substitute—
 - “(9) In this section—
 - “OR-7 rank” means any of the following—
 - (a) chief petty officer;
 - (b) staff corporal;
 - (c) staff sergeant;
 - (d) colour sergeant, Royal Marines;
 - (e) flight sergeant;
 - (f) chief technician;
 - “prescribed” means prescribed by Court Martial rules.”

Changes to legislation: There are currently no known outstanding effects for the Armed Forces Act 2021, Paragraph 1. (See end of Document for details)

.....

Commencement Information

- I1** Sch. 1 para. 1 not in force at Royal Assent, see **s. 24(1)**
- I2** Sch. 1 para. 1 in force at 1.5.2022 for specified purposes by S.I. 2022/471, **reg. 2(a)**
- I3** Sch. 1 para. 1 in force at 1.1.2023 in so far as not already in force by S.I. 2022/1095, **reg. 2**

Changes to legislation:

There are currently no known outstanding effects for the Armed Forces Act 2021, Paragraph 1.