

SCHEDULE

Article 2(1)

APPLICATION AND MODIFICATION OF THE ACT

Column 1 Provisions applied	Column 2 Modifications
In section 34— subsection (1)	(i) in paragraph (a)— the omission of the words “at any time before he was charged with the offence,”; for the word “constable” there shall be substituted the words “service policeman”; after the word “committed,” there shall be inserted the words “or during the taking of evidence as a preliminary to the trial of the offence by court-martial,”; and  (ii) in paragraph (b)— after the word “charged” there shall be inserted the words “by a service policeman”; after the word “informed” there shall be inserted the words “by a service policeman”;
subsection (2), except paragraphs (a) and (b)	in paragraph (d), the omission of the words “or jury”;
subsections (3) and (5)	
subsection (6)	for the words “the commencement of this section” there shall be substituted the words “the coming into force of the 1997 Order”.
In section 35—	
subsection (1)	for the words “legal representative” there shall be substituted the word “representative”;
subsection (2)	the omission of the words “( in the case of proceedings on indictment, in the presence of the jury)” and of the words “or jury”;
subsection (3)	the omission of the words “or jury”;
subsections (4), (5) and (6)	
subsection (7)	for the words following the word “applies” there shall be substituted the words “only if the time when the court begins to receive evidence in the proceedings falls after the coming into force of the 1997 Order”.
In section 36—	

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Column 1 Provisions applied	Column 2 Modifications
subsection (1)	for the word “constable” wherever it occurs there shall be substituted the words “service policeman”;
subsection (2), except paragraphs (a) and (b)	in paragraph (d), the words “or jury” shall be omitted;
subsection (3)	
subsection (4)	for the word “constable” there shall be substituted the words “service policeman”;
subsection (6)	
subsection (7)	for the words “the commencement of this section” there shall be substituted the words “the coming into force of the 1997 Order”.
In section 37—	
subsection (1)	for the word “constable” wherever it occurs there shall be substituted the words “service policeman”;
subsection (2), except paragraphs (a) and (b)	in paragraph (d), the words “or jury” shall be omitted;
subsection (3)	for the word “constable” there shall be substituted the words “service policeman”;
subsection (5)	
subsection (6)	for the words “the commencement of this section” there shall be substituted the words “the coming into force of the 1997 Order”.
In section 38—	
subsection (1)	<ul style="list-style-type: none"> <li>(i) the omission of the definition of “legal representative”; and</li> <li>(ii) the insertion of the following definitions in the appropriate places— <ul style="list-style-type: none"> <li>““court” in relation to any proceedings whereby a charge is tried summarily shall include any person or body trying the charge;</li> <li>“the 1997 Order” means the Criminal Justice and Public Order Act 1994 (Application to the Armed Forces) Order 1997 (S.I.1997/16);</li> <li>“service policeman” means a member of the Royal Navy Regulating Branch, the Royal Marines Police, the Royal Military Police, the Royal Air Force Police</li> </ul> </li> </ul>

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Column 1 Provisions applied	Column 2 Modifications
subsection (2)	or the staff of the Royal Air Force Provost Marshal”;
subsection (3)	the omission of the words “have the proceedings against him transferred to the Crown Court for trial,”;
subsections (5) and (6).	