STATUTORY INSTRUMENTS

2009 No. 1110

The Armed Forces (Warrants of Arrest for Service Offences) Rules 2009

PART 2

SERVICE OF DOCUMENTS

Interpretation of Part 2

3.—(1) References in this Part to a requirement that a document be served on a person include any requirement that the document be supplied to the person, however expressed.

(2) References in this Part to a person's agreement to the service of a document in a particular way include his agreement that any document of a description specified by him may be served in that way.

Service on the court administration officer

4. Where under these Rules any document is to be served on the court administration officer, it may be served—

(a) by post, DX, fax, electronic mail or other electronic means to any office of the Military Court Service; or

(b) on a member of that Service personally, with his agreement.

Service on other individuals

5. Where under these Rules any document is to be served on an individual other than the court administration officer it may be served—

(a) on the individual personally;

(b) if he is subject to service law, by post in a letter addressed to him at his unit;

(c) if he is not subject to service law—

(i) by leaving it at his usual or last known place of abode; or

(ii) by post in a letter addressed to his usual or last known place of abode.

Service by another method

6.—(1) A judge advocate may direct that a document may be served by a method other than those mentioned in rules 4 and 5.

(2) A direction under this rule—

(a) must specify—

(i) the method to be used; and

(ii) the date by which the document must be served; and

(b) may specify the time on that date by which the document must be served.

(3) A judge advocate may treat a document as served if the addressee responds to it, even if it was not served in accordance with these Rules.

Service by fax or electronic means

7. Where a document is served by fax, electronic mail or other electronic means, the person serving it need not provide a paper copy as well.