
STATUTORY INSTRUMENTS

2009 No. 1209

The Armed Forces (Service Civilian Court) Rules 2009

PART 15

ANCILLARY PROCEEDINGS

CHAPTER 2

Other ancillary proceedings

Certification of contempt of court

108.—(1) The court's powers under section 311(2) (certification of contempt of court) may be exercised only at a hearing under this rule.

(2) If so directed by a judge advocate, the court administration officer shall—

- (a) appoint a time and place for a hearing under this rule; and
- (b) notify the contemnor and the Director of the time and place so appointed.

(3) The contemnor and the Director are entitled to be heard at the hearing.

(4) The contemnor need not attend the hearing, but the court may exercise its powers under section 311(2) in his absence.

(5) In this rule—

“the contemnor” means the person whose offence the court is to consider certifying; and

“offence” has the same meaning as in section 311.