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STATUTORY INSTRUMENTS

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**2009 No. 2083**

**The Youth Justice and Criminal Evidence Act  
1999 (Application to Service Courts) Order 2009**

**Interpretation**

**2.—(1)** In this Order—

“the Act” means the Youth Justice and Criminal Evidence Act 1999;

“the 2006 Act” means the Armed Forces Act 2006(1);

“Court Martial Rules” means rules made under section 163 of the 2006 Act;

“CMAC Rules” means rules made under section 49 of the Court Martial Appeals Act 1968(2);

“SCC Rules” means rules made under section 288 of the 2006 Act;

“the competence of witnesses and capacity to be sworn provisions” has the meaning given by article 9(4);

“the general and final provisions” has the meaning given by article 11(2);

“judge advocate” has the same meaning as in section 362 of the 2006 Act;

“lay members” has the same meaning as in section 155(1) of the 2006 Act;

“the protection of complainants in proceedings for sexual offences provisions” has the meaning given by article 7(2);

“the protection of witnesses from cross-examination provisions” has the meaning given by article 5(3);

“Rules of court” means rules of evidence and procedure for proceedings before—

- (a) the Court Martial;
- (b) the Service Civilian Court; and
- (c) the Court Martial Appeal Court;

“the special measures provisions” has the meaning given by article 3(3).

**(2)** Any reference in this Order to a special measures direction is to be read—

- (a) in relation to proceedings before the Court Martial, as a reference to a special measures direction within the meaning of Court Martial Rules;
- (b) in relation to proceedings before the Service Civilian Court, as a reference to a special measures direction within the meaning of SCC Rules;
- (c) in relation to proceedings before the Court Martial Appeal Court, as a reference to a direction under section 19 of the Act.