



STATUTORY INSTRUMENTS.

**S.I. No. 273 of 2009**



COURT-MARTIAL RULES 2009

**(Prn. A9/1015)**

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COURT-MARTIAL RULES 2009

We, the Courts-Martial Rules Committee, constituted pursuant to the provisions of section 240A of the Defence Act 1954 (No. 18 of 1954), in exercise of the powers conferred on us by section 240B of the Defence Act 1954, and of all other powers enabling us in this behalf, do hereby make the following Rules.

Dated this 20th day of July 2009.

Donagh McDonagh Chairperson

Oonah McCrann

Patrick A. McCourt

Fergal Foley

Niall Farrell

Denis McFadden

Ann Price.

I concur in the making of the following Rules.

Dated this 22nd day of July 2009.

WILLIE O'DEA,

Minister for Defence

*Notice of the making of this Statutory Instrument was published in  
"Iris Oifigiúil" of 24th July, 2009.*

S.I. No. 273 of 2009

COURT-MARTIAL RULES 2009

1. (1) These Rules may be cited as the Court-Martial Rules 2009.
- (2) The Court-Martial Rules 2008 (S.I. No. 205 of 2008) and these Rules may be cited together as the Court-Martial Rules 2008 to 2009.
- (3) These Rules shall come into operation on 23 July 2009.
2. The Court-Martial Rules 2008 (S.I. No. 205 of 2008) are hereby amended—
  - (1) by deleting Rule 37 and substituting the following therefor:

*“Arraignment of accused*

37. (1) Where an accused is brought before the military judge for his or her trial the accused shall be required to indicate whether a board is required to try some or all of the charges.

(2) Where the accused indicates that a board is not required for some or all of the charges the accused shall be arraigned forthwith before the military judge on those charges.

(3) Where the accused indicates that a board is required to try some or all of the charges the accused shall be arraigned on the charges to be tried before the board and he or she shall be required to plead separately to each charge. Thereafter the procedures in Part 13 shall be followed.”

(2) by the substitution in each place it occurs in Form 2 of “A.F. 43(a)” with “\*A.F. 43(a)/\*A.F. 108”.

EXPLANATORY NOTE

*(This is not part of the Instrument and does not purport to be a legal interpretation)*

These Rules amend the Court-Martial Rules 2008 (S.I. No. 205 of 2008).

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,  
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,  
nó tríd an bpost ó  
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,  
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