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**PREFATORY NOTES**

a. The Manual of the Judge Advocate General may be cited as "JAGMAN 0101a(1)" or "JAGMAN A-1-b-(1)."

b. Forms, certain reference material, and technical guides are located in the Appendices, which are keyed by section number to the relevant chapter.

c. The words "Navy" and "naval" as used in this Manual include the Marine Corps, except where the context indicates differently.

# CHAPTER I
REGULATIONS IMPLEMENTING AND SUPPLEMENTING THE MANUAL FOR COURTS-MARTIAL

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CHAPTER I
REGULATIONS IMPLEMENTING AND SUPPLEMENTING
THE MANUAL FOR COURTS-MARTIAL

0101 SCOPE

The Uniform Code of Military Justice (UCMJ) and the Manual for Courts-Martial (MCM), authorize "the Secretary concerned" or "the Judge Advocate General concerned" to prescribe regulations implementing or supplementing certain provisions of the UCMJ or the MCM. This chapter provides those regulations and additional regulations relating to military justice.

PART A - NONPUNITIVE MEASURES

0102 NONPUNITIVE ADMINISTRATIVE MEASURES GENERALLY

Commanding officers and officers in charge are authorized and expected to use administrative corrective measures to further the efficiency of their commands or units. See R.C.M. 306(c)(2), MCM. These measures are not to be imposed as punishment for any military offense(s). They may be administered either orally or in writing. They generally fall into three areas: extra military instruction, administrative withholding of privileges, and nonpunitive censure.

0103 EXTRA MILITARY INSTRUCTION

a. Definition. Extra military instruction (EMI) is defined as instruction in a phase of military duty in which an individual is deficient, and is intended for and directed towards the correction of that deficiency. It is a bona fide training technique to be used for improving the efficiency of an individual within a command or unit through the correction of some deficiency in that individual's performance of duty. It may be assigned only if genuinely intended to accomplish that result. It is not to be used as a substitute for judicial (court-martial) action or nonjudicial punishment (NJP), and must be logically related to the deficiency in performance for which it was assigned.

b. Limitations. EMI shall be conducted within the following limitations:

   (1) EMI normally will not be conducted for more than 2 hours per day.

   (2) EMI may be conducted at a reasonable time outside normal working hours. Reserve component personnel on inactive duty training, however, may not be required to perform EMI outside normal periods of inactive duty training.

   (3) EMI will not be conducted over a period that is longer than necessary to correct the performance deficiency for which it was assigned.

   (4) EMI should not be conducted on the member's Sabbath.

   (5) EMI will not be used for the purpose of depriving the member of normal liberty to which the member is otherwise entitled. A member who is otherwise entitled thereto may commence normal liberty upon completion of EMI.

   (6) Authority to assign EMI that is to be performed during normal working hours is not limited to any particular grade or rate, but is an inherent part of that authority over their subordinates, which is vested in officers and noncommissioned/petty officers in connection with duties and responsibilities assigned to them. This authority to assign EMI that is to be performed during normal working hours may be withdrawn by any superior if warranted.

   (7) Authority to assign EMI to be performed after normal working hours is vested in the