

Status: Point in time view as at 08/07/2009.

Changes to legislation: Naval Discipline Act 1957 (repealed), SECOND SCHEDULE is up to date with all changes known to be in force on or before 10 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SECOND SCHEDULE

Section 113.

APPLICATION OF ACT TO ATTACHED MILITARY AND AIR FORCES

Textual Amendments applied to the whole legislation

- F1** Act repealed (1.1.2008 for the repeal of s. 130 only, 28.3.2009 for further specified purposes) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), [Sch. 17](#); S.I. 2007/2913, art. 3 (with art. 4(1)(2)); S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)

1, 2 . . . ^{F1}

Textual Amendments

- F1** [Sch. 2 paras. 1, 2](#) repealed by [Armed Forces Act 1971 \(c. 33\)](#), s. 78(4), [Sch. 4 Pt. I](#)

[^{F23} The following paragraph shall be substituted for paragraph (h) of section 43(1) of this Act:—
“(h) reduction to the ranks or any less reduction in rank.”]

Textual Amendments

- F2** [Para. 3](#), substituted by [Armed Forces Act 1971 \(c. 33\)](#), s. 78(4), [Sch. 1 para. 2\(7\)](#)

4 . . . ^{F3}

Textual Amendments

- F3** [Sch. 2 para. 4](#) repealed by [Armed Forces Act 1966 \(c. 45\)](#), [Sch. 5](#)

[^{F45} For the references to disrating in subsection (4) of the said section 43 there shall be substituted references to reduction to the ranks, and subsection (5) of that section shall not apply.]

Textual Amendments

- F4** [Para. 5](#) substituted by [Armed Forces Act 1971 \(c. 33\)](#), s. 78(4), [Sch. 1 para. 2\(7\)](#)

6 Notwithstanding anything in section two hundred and one of the ^{M1}Army Act 1955, or the ^{M2}Air Force Act 1955, a sentence of reduction to the ranks or any less reduction in rank may be awarded in the case of an offender tried under [^{F5}section 52D]of this Act.

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Textual Amendments

F5 Words in [Sch. 2 para. 6](#) substituted (1.4.1997 with savings) by [1996 c. 46, s. 5, Sch. 1 Pt. IV para. 96\(a\)](#); [S.I. 1997/304, art. 2](#) (with [art. 3](#))

Marginal Citations

M1 [1955 c. 18.](#)

M2 [1955 c. 19.](#)

- 7 In subsection (1) of [section 52G], the reference to an officer of Her Majesty’s naval forces below the rank of commander shall be construed as a reference to an officer of the regular forces or the regular air force of corresponding rank; and in relation to the trial of such an officer [^{F6}subsection (5)]of that section shall have effect as if the reference to officers of Her Majesty’s naval forces included a reference to officers of the regular forces or of the regular air force, as the case may be.

Textual Amendments

F6 Words in [Sch. 2 para. 7](#) substituted (1.4.1997) by [1996 c. 46, s. 5, Sch. 1 Pt. IV para. 96\(b\)](#); [S.I. 1997/304, art. 2](#) (with [art. 3](#))

- 8 In relation to the trial of a member of the regular forces or of the regular air force, section fifty-four shall have effect:—
- (a) as if the officers described in subsection (1) included officers of those forces or of that force, as the case may be;
 - (b) as if any other reference in that section to a specified naval rank included a reference to the corresponding military or air-force rank.
- 9 In subsection (2) of section fifty-two of this Act, for the words “after he ceased to be subject thereto” there shall be substituted the words “next after the earliest date on which he is no longer subject to service law”.
- 10 Any reference in this Act to the uniform of any of Her Majesty’s naval forces, or to illegal absence from any of those forces, shall be construed as a reference to the uniform of, or to illegal absence from, any of the regular forces, or the regular air force, as the case may be.

11 . . . ^{F7}

Textual Amendments

F7 [Sch. 2 para. 11](#) repealed by [S.I. 1964/488, Sch. 1 Pt. I](#)

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