



Naval Discipline Act 1957 (repealed)

1957 CHAPTER 53 5 and 6 Eliz 2

PART I

ARTICLES OF WAR

Misconduct in action and other offences arising out of naval service

[^{F1}2] **Misconduct in action.**

- (1) A person subject to this Act shall be guilty of an offence against this section if, without lawful excuse, he—
 - (a) surrenders any place or thing to the enemy, or
 - (b) abandons any place or thing which it is his duty to defend against the enemy or to prevent from falling into the hands of the enemy.
- (2) A person subject to this Act shall be guilty of an offence against this section if, being in the presence or vicinity of the enemy, or being engaged in any action or operation against the enemy or under orders to be prepared for any action or operation by or against the enemy, he—
 - (a) fails to use his utmost exertions to carry the lawful orders of his superior officers into execution, or
 - (b) while on guard duty and posted or ordered to patrol, or while on watch, sleeps or, without having been regularly relieved, leaves any place where it is his duty to be, or
 - (c) behaves in such a manner as to show cowardice, or induces any other person so to behave at a time when that other person, being a member of Her Majesty's forces or of a force co-operating with Her Majesty's forces, is in the presence or vicinity of the enemy, or is engaged in any action or operation against the enemy or under orders to be prepared for any action or operation by or against the enemy, or
 - (d) uses words likely to cause despondency or unnecessary alarm.
- (3) A person guilty of an offence against this section shall be liable—

Status: Point in time view as at 01/04/2001. This version of this provision has been superseded.

Changes to legislation: Naval Discipline Act 1957 (repealed), Section 2 is up to date with all changes known to be in force on or before 06 July 2024.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)

- (a) if the offence consisted in an act or omission falling within subsection (1) or paragraph (a) of subsection (2) and was committed with intent to assist the enemy, to suffer death or any less punishment authorised by this Act;
- (b) in any other case, to imprisonment or any less punishment authorised by this Act.]

Textual Amendments

F1 Ss. 2-4 substituted for ss. 2-5 by [Armed Forces Act 1971 \(c. 33\)](#), **ss. 2(1)(3)**, 78(4)

Textual Amendments applied to the whole legislation

F1 Act repealed (prosp.) by [Armed Forces Act 2006 \(c. 52\)](#), **ss. 378, 383**, **Sch. 17** and the repeal being partly in force, as to which see individual provisions

Status:

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