



# Naval Discipline Act 1957

## 1957 CHAPTER 53

### PART II

#### TRIAL AND PUNISHMENT OF OFFENCES

##### *Arrest*

#### **47 Evidence of arrest or surrender**

- (1) In any proceedings for an offence under Part I of this Act against a person who—
  - (a) has surrendered himself to any consular officer;
  - (b) has been taken on arrest or surrender into the custody of a provost officer ; or
  - (c) has been taken on arrest or surrender into custody at any police station, guard-room or other place in any part of Her Majesty's dominions,a certificate purporting to be signed by the consular or provost officer, or the officer in charge of the police station, guard-room or other place, as the case may be, containing a statement of the fact, date, time and place of arrest or surrender, and whether or not the person charged was wearing the uniform of any of Her Majesty's naval forces at the time of arrest or surrender, shall be evidence of the matter therein contained.
- (2) In any proceedings for an offence of desertion, absence without leave or improperly leaving his ship or place of duty against a person who on arrest or surrender has been brought before a court of summary jurisdiction in accordance with the provisions of Part III of this Act, a certificate purporting to be signed by a justice of the peace containing a statement of the fact, date, time and place of arrest or surrender, and whether or not the person charged was wearing the uniform of any of Her Majesty's naval forces at the time of arrest or surrender, and containing such particulars as to the proceedings before the court as may be prescribed by regulations made by the Admiralty by statutory instrument, shall be evidence of the matter therein contained.
- (3) In this section " provost officer " includes a corresponding officer of any of the forces of a Commonwealth country, or of a force raised under the law of any colony.