



Naval Discipline Act 1957

1957 CHAPTER 53

PART II

TRIAL AND PUNISHMENT OF OFFENCES

Jurisdiction

49 Summary trial

- (1) Subject to the provisions of this section, a rating who is charged with an offence to which this section applies may, in accordance with regulations made by the Admiralty, be summarily tried and punished by the officer in command of the ship or naval establishment to which the offender belongs either at the time of the commission or at the time of the trial of the offence.
- (2) This section applies to any offence triable by court-martial under this Act, other than an offence punishable by sentence of death.
- (3) A commanding officer shall not have power under this section to award a sentence of dismissal with disgrace from Her Majesty's service or a sentence of imprisonment or detention for any term exceeding three months.
- (4) The power conferred by subsection (1) of this section on the officer in command of a ship or naval establishment may, subject to regulations made under this section, be exercised—
 - (a) in respect of persons on board a single tender or boat which is absent from the ship or establishment on detached service, by the officer in command of that tender or boat;
 - (b) in respect of persons on board one of two or more tenders or boats which are absent as aforesaid on detached service in company or acting together, by the officer in immediate command of those tenders or boats; and
 - (c) in respect of other persons absent from the ship or establishment on detached service either on shore or elsewhere, by the officer in immediate command of those persons.

Status: This is the original version (as it was originally enacted).

- (5) The power conferred on any officer by subsection (1) or subsection (4) of this section may, subject to such conditions as may be prescribed by regulations made under this section, be delegated by that officer to any officer not below the rank of lieutenant or corresponding rank:

Provided that an officer to whom the said power is so delegated shall not have power to award any punishment other than those described in paragraph (m) of subsection (1) of section forty-three of this Act.