



Naval Discipline Act 1957 (repealed)

1957 CHAPTER 53 5 and 6 Eliz 2

PART II

TRIAL AND PUNISHMENT OF OFFENCES

Constitution of courts-martial

56 Place and time of sittings of courts-martial.

- (1) A court-martial shall be held on board such of Her Majesty's ships or vessels, or at such premises on shore, whether within or out of the United Kingdom, as may be [^{F1}specified in the order assembling the court].
- (2) A court-martial may, if it appears to the court to be expedient in the interests of justice, be adjourned, either generally or for the purpose of any part of the proceedings, to any other ship, vessel or place ^{F2}. . .
- (3) Without prejudice to the provisions of the last foregoing subsection, a court-martial may, if it appears to the court that an adjournment is desirable for any reason, be adjourned for such period as the court thinks fit:

Provided that except with the consent of the accused and the [^{F3}prosecuting authority][^{F4}, or for the purpose of exercising powers under section 63A of this Act,] the period for which the court may be adjourned under this subsection shall not on any occasion exceed six days.

- (4) Subject to the provisions of this section, a court-martial shall, unless prevented by weather or other unavoidable cause, sit from day to day (with the exception of Sundays) until the court has arrived at a finding and, in the case of a conviction, until sentence is pronounced.

Textual Amendments

- F1** words in s. 56(1) substituted (1.4.1997 with savings) by 1996 c. 46, s. 5, **Sch. 1 Pt. III para. 54(2)**; S.I. 1997/304, **art. 2** (with **art. 3**)

Status: Point in time view as at 03/02/2006. This version of this provision has been superseded.

Changes to legislation: Naval Discipline Act 1957 (repealed), Section 56 is up to date with all changes known to be in force on or before 15 July 2024.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)

- F2** Words in s. 56(2) repealed (1.4.1997 with savings) by 1996 c. 46, s. 5, 35(2), Sch. 1 Pt. III para. 54(3), **Sch. 7 Pt. I**; S.I. 1997/304, **art. 2** (with art. 3)
- F3** Words in s. 56(3) substituted (1.4.1997 with savings) by 1996 c. 46, s. 5, **Sch. 1** PT. III para. 54(4); S.I. 1997/304, **art. 2** (with art. 3)
- F4** Words in s. 56(3) inserted (31.3.2005) by Domestic Violence, Crime and Victims Act 2004 (c. 28), ss. 26, 60, **Sch. 3 para. 4** (with Sch. 12 para. 8); S.I. 2005/579, **art. 3(b)**

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:

Point in time view as at 03/02/2006. This version of this provision has been superseded.

Changes to legislation:

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