



Naval Discipline Act 1957 (repealed)

1957 CHAPTER 53 5 and 6 Eliz 2

PART II U.K.

TRIAL AND PUNISHMENT OF OFFENCES

[^{F1}Findings of unfitness to stand trial and insanity]

[^{F1}63D Provisions supplementary to sections 62A to 63C U.K.]

- (1) In this section and sections 62A to 63C above—
 - “duly approved” means approved for the purposes of section 12 of the Mental Health Act 1983 by the Secretary of State as having special experience in the diagnosis and treatment of mental disorder (within the meaning of that Act);
 - “prescribed” means prescribed by regulations made by the Secretary of State.
- (2) For the purposes of the provisions of sections 62A and 63 of this Act which permit a court to act on the written evidence of a registered medical practitioner or a registered medical practitioner who is duly approved, a report in writing purporting to be signed by a registered medical practitioner or a registered medical practitioner who is duly approved may, subject to subsection (3) below, be received in evidence without proof of the signature of the practitioner and without proof that he has the requisite qualifications or is duly approved; but the court may require the signatory of any such report to be called to give oral evidence.
- (3) Where, in pursuance of a direction of the court, any such report is tendered in evidence otherwise than by or on behalf of the accused, then—
 - (a) if the accused is represented by counsel or a solicitor, a copy of the report shall be given to his counsel or solicitor;
 - (b) if the accused is not so represented, the substance of the report shall be disclosed to him; and

Status: Point in time view as at 31/03/2005. This version of this provision has been superseded.

Changes to legislation: Naval Discipline Act 1957 (repealed), Section 63D is up to date with all changes known to be in force on or before 27 August 2024.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)

- (c) the accused may require the signatory of the report to be called to give oral evidence, and evidence to rebut the evidence contained in the report may be called by the accused or on his behalf.
- (4) The power of the Secretary of State to make regulations under sections 63A to 63C above, and orders under section 63C(3) above, shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

Textual Amendments

- F1** Ss. 62A-63D and preceding cross-heading substituted (31.3.2005) for s. 63 by [Domestic Violence, Crime and Victims Act 2004 \(c. 28\)](#), ss. 26, 60, [Sch. 3 para. 3](#); [S.I. 2005/579](#), [art. 3\(b\)](#)

Modifications etc. (not altering text)

- C1** Ss. 63B-63D applied (with modifications) (31.5.2005) by [Courts-Martial \(Appeals\) Act 1968 \(c. 20\)](#), s. 16 (as substituted by [Domestic Violence, Crime and Victims Act 2004](#) ss. 26, 60, {[Sch. 3 para. 10](#)}); [S.I. 2005/579](#), [art. 3](#)
- C2** Ss. 63B-63D applied (with modifications) (31.5.2005) by [Courts-Martial \(Appeals\) Act 1968 \(c. 20\)](#), s. 16 (as substituted by [Domestic Violence, Crime and Victims Act 2004](#) ss. 26, 60, {[Sch. 3 para. 7](#)}); [S.I. 2005/579](#), [art. 3](#)

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 31/03/2005. This version of this provision has been superseded.

Changes to legislation:

Naval Discipline Act 1957 (repealed), Section 63D is up to date with all changes known to be in force on or before 27 August 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.