



Naval Discipline Act 1957 (repealed)

1957 CHAPTER 53 5 and 6 Eliz 2

PART II

TRIAL AND PUNISHMENT OF OFFENCES

Proceedings of courts-martial

66 Record of proceedings of courts-martial.

- (1) As soon as practicable after the conclusion of a court-martial, the judge advocate or the clerk of the court shall transmit to the Commander-in-Chief or senior naval officer the record of the proceedings; and the Commander-in-Chief or senior naval officer shall transmit it to [^{F1}the Defence Council].
 - (2) Subject to the provisions of this section, a person who has been charged before a court-martial shall be entitled, on application made to [^{F1}the Defence Council] within five years after the conclusion of the proceedings before the court-martial, to receive a copy of the record of the proceedings, subject to payment of such fee (if any), not exceeding the cost of making the copy, as may be required by [^{F1}the Defence Council].
 - (3) Where a person charged as aforesaid dies within the period of five years mentioned in subsection (2) of this section, his personal representatives, or any person who in the opinion of [^{F1}the Defence Council] ought to be treated for the purposes of this subsection as his personal representative, shall, on application made to [^{F1}the Defence Council] within one year after his death, have the like right to receive a copy of the record as that person would have had on application made under that subsection.
- [^{F2}(3A) The right of a person or his representatives to obtain a copy of the record under this section does not extend to so much of the record as relates only to a charge of which he was found not guilty.]
- (4) If, on application made in pursuance of this section for a copy of the record of any proceedings, [^{F1}the Defence Council] certify that it is necessary for reasons of security that the proceedings or any part thereof should not be disclosed, the applicant shall not be entitled to a copy of the proceedings or part to which the certificate relates.

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: Naval Discipline Act 1957 (repealed), Section 66 is up to date with all changes known to be in force on or before 11 July 2024.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)

Textual Amendments

- F1** Words substituted by [S.I. 1964/488](#), **Sch. 1 Pt. I**
- F2** [S. 66\(3A\)](#) inserted by [Armed Forces Act 1981 \(c. 55\)](#), **s. 7(3)(4)** except in relation to a record of proceedings commenced before 1.5.1982

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 01/02/1991. This version of this provision has been superseded.

Changes to legislation:

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