



# Naval Discipline Act 1957 (repealed)

1957 CHAPTER 53 5 and 6 Eliz 2

## PART II

TRIAL AND PUNISHMENT OF OFFENCES

### *Review of finding and sentence*

#### [<sup>F1</sup>70] **Review of findings and sentences of courts-martial.**

- (1) Where a court-martial has found the accused guilty of any offence, the accused may, before the end of the prescribed period after sentence is passed, present a petition to the Defence Council against finding or sentence or both.
- (2) The reviewing authority shall, in accordance with subsections (3) and (4) below, review any finding of guilt made, and sentence passed, by a court-martial.
- (3) The review shall (if it does not begin sooner) begin as soon as is practicable after—
  - (a) in a case where a petition has been presented under this section, the presentation of the petition;
  - (b) in any other case, the end of the period within which a petition under this section may be presented.
- (4) Where an application for leave to appeal to the Courts-Martial Appeal Court against a finding or sentence has been made before the review of the finding or sentence has been completed—
  - (a) the reviewing authority shall complete the review as soon as is practicable; but
  - (b) if leave to appeal is granted before the review has been completed, the authority shall cease considering the review.
- (5) For the purposes of this Act the reviewing authority is—
  - (a) the Defence Council; or
  - (b) any officer to whom all or any of the powers of the Defence Council as reviewing authority may be delegated by the Defence Council.

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*Status: Point in time view as at 11/05/2001. This version of this provision has been superseded.*

**Changes to legislation:** *Naval Discipline Act 1957 (repealed), Section 70 is up to date with all changes known to be in force on or before 06 July 2024.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)*

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<sup>F2</sup>(6) .....

(7) This section and section 71 of this Act apply to disciplinary courts as they apply to courts-martial.

(8) In this section “prescribed” means prescribed by rules under section 58 of this Act.]

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**Textual Amendments**

**F1** S. 70 substituted (1.4.1997 with savings) by 1996 c. 46, s. 16, **Sch. 5 para. 9**; S.I. 1997/304, **art. 2** (with **art. 3**)

**F2** S. 70(6) repealed (11.5.2001) by 2001 c. 19, s. 38, **Sch. 7 Pt. 4**

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**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 11/05/2001. This version of this provision has been superseded.

**Changes to legislation:**

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