

SCHEDULES

SCHEDULE 1

PROCEDURE FOR DEALING WITH OFFENCES UNDER SERVICES ACTS.

PART IV

MINOR AND CONSEQUENTIAL AMENDMENTS

Naval Discipline Act 1957 (c. 53)

- 86 The Naval Discipline Act 1957 shall be amended as follows.
- 87 In section 65(4) (contempt of court-martial by civilians), for the words “subsection (5) of section fifty” there shall be substituted the words “section 52G(9)”.
- 88 In section 66(1) (record of proceedings of court-martial) for the words from “judge” to “it” there shall be substituted the words “court administration officer shall transmit the record of the proceedings”.
- 89 In section 76 (restitution or compensation on conviction of larceny etc.)—
- (a) in subsection (6)(a), the words from “by the officer” to the end shall cease to have effect; and
 - (b) in subsection (6)(b), for the words “section forty-nine” there shall be substituted the words “section 52D”.
- 90 In section 81 (place of imprisonment or detention)—
- (a) in subsection (3)(c) for the words “officer who ordered the court-martial” there shall be substituted the words “court-martial by which he is tried”; and
 - (b) in subsection (3)(d) for the words “section forty-nine” there shall be substituted the words “section 52D”.
- 91 In section 85(2) (commencement of sentences) for the words “section forty-nine” there shall be substituted the words “section 52D”.
- 92 In section 103(1) (arrest under warrants of naval authorities) for the words from “subsection (4)” to the end there shall be substituted the words “regulations under section 52E(2)(a) above may exercise the powers of that person’s commanding officer”.
- 93 In section 129(1) (jurisdiction of civil courts) for the words “section forty-nine” there shall be substituted the words “section 52D”.
- 94 In section 135(1) (general provisions as to interpretation of Act)—
- (a) after the definition of “civil prison” there shall be inserted the following definition—

Status: This is the original version (as it was originally enacted).

- “the commanding officer”, in relation to a person charged with an offence, has the meaning assigned to it by section 52E(1) of this Act;”;
- (b) after the definition of “constable” there shall be inserted the following definition—
- ““court administration officer” and “the court administration officer” have the meanings assigned to them by section 53A of this Act;”;
- (c) after the definition of “Her Majesty’s forces” there shall be inserted the following definition—
- ““the judge advocate”, in relation to a court-martial, has the meaning assigned to it by section 53B(1) of this Act;”;
- (d) after the definition of “property” there shall be inserted the following definition—
- ““the prosecuting authority” has the meaning assigned to it by section 52H(1) of this Act;”.
- 95 In Schedule 1 (application of Act to marine forces), in paragraph 3, for the words “section forty-nine” there shall be substituted the words “section 52D”.
- 96 In Schedule 2 (application of Act to attached military and air forces)—
- (a) in paragraph 6, for the words “section forty-nine” there shall be substituted the words “section 52D”; and
- (b) in paragraph 7, for the words “section fifty” there shall be substituted the words “section 52G” and for the words “subsection (3)” there shall be substituted the words “subsection (5)”.
- 97 In Schedule 4 (application of Act to certain civilians), in paragraph 4—
- (a) for the words “section forty-nine” in both places there shall be substituted the words “section 52D”; and
- (b) the words from “and subsections” to “not apply” shall cease to have effect.
- 98 In Schedule 4A (powers of court on trial of civilian), in paragraphs 13(2)(a) and 14(6)(a), for the words “General Orders” there shall be substituted the word “rules”.