

*Status: Point in time view as at 01/01/2008.*

*Changes to legislation: Armed Forces Act 2006, Paragraph 28 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)*

## SCHEDULES

### SCHEDULE 16

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *Naval Discipline Act 1957 (c. 53)*

- 28 (1) Section 52D of that Act (summary trial) is amended as follows.
- (2) For subsections (2) and (2ZA) substitute—
- “(2) The commanding officer or appropriate superior authority (as the case may be) shall afford the accused the opportunity of electing court-martial trial.”
- (3) In subsection (4) for paragraph (b) substitute—
- “(b) if the accused is an officer below the rank of captain whose commanding officer satisfies the conditions in section 52B(6A)(a) and (b), refer the charge back to the commanding officer of the accused;
- (c) if the accused is an officer other than one within paragraph (b) above, refer the charge back to the appropriate superior authority;”.
- (4) In subsection (4A) for “Subsections (2) and (2ZA) above do not” substitute “Subsection (2) above does not”.
- (5) In subsection (4C) for “subsection (2) or (2ZA) above” substitute “subsection (2) above”.

#### Commencement Information

**II** Sch. 16 para. 28 in force at 4.6.2007 by S.I. 2007/1442, art. 2(1)

**Status:**

Point in time view as at 01/01/2008.

**Changes to legislation:**

Armed Forces Act 2006, Paragraph 28 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.