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*Changes to legislation: Naval Discipline Act 1957 (repealed), Cross Heading: Insubordination and similar offences is up to date with all changes known to be in force on or before 25 July 2024.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)*



# Naval Discipline Act 1957 (repealed)

1957 CHAPTER 53 5 and 6 Eliz 2

## PART I

### ARTICLES OF WAR

#### *Insubordination and similar offences*

#### 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- F1** Act repealed (prosp.)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

#### [<sup>F1</sup>11 **Insubordinate behaviour.**

Every person subject to this Act who—

- (a) . . . <sup>F2</sup> uses violence to, or offers violence to, his superior officer, or
- (b) uses threatening or insubordinate language to, or behaves with contempt to, his superior officer,

shall be liable to imprisonment or any less punishment authorised by this Act:

Provided that it shall be a defence for any person charged under this section, to prove that he neither knew nor had reasonable cause to believe that the person in relation to whom the offence is alleged to have been committed was his superior officer.]

#### Textual Amendments

- F1** Ss. 11, 12 substituted by [Armed Forces Act 1971 \(c. 33\)](#), ss. 8(3), 78(4)
- F2** Words repealed by [Armed Forces Act 1986 \(c. 21, SIF 7:1\)](#), ss. 4(1), 16(2), [Sch. 2](#)

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## 12 Disobedience to lawful commands.

Any person subject to this Act who, whether wilfully or through neglect, disobeys any lawful command (by whatever means communicated to him) shall be liable to imprisonment or any less punishment authorised by this Act.

### [<sup>F3</sup>12A Failure to provide a sample for drug testing.

(1) Any person subject to this Act who, when requested to do so by a drug testing officer, fails to provide a sample of his urine for testing for the presence of drugs shall,<sup>F4</sup> . . . , be liable to imprisonment for a term not exceeding six months or any less punishment provided by this Act.

(2) For the purposes of this section—

“drug” means any drug which is a controlled drug for the purposes of the Misuse of Drugs Act 1971; and

“drug testing officer” means an officer, warrant officer [<sup>F5</sup>, chief petty officer, petty officer or leading rating] who is authorised by or in accordance with Queen’s Regulations for the purpose of supervising the conduct of tests for the presence of drugs.]

#### Textual Amendments

- F3** S. 12A inserted (1.10.1996 with savings) by 1996 c. 46, s. 32(3); S.I. 1996/2474, art. 2 (with art. 3)
- F4** Words in s. 12A(1) omitted (28.2.2002) by virtue of 2001 c. 19, ss. 32(9), 39(2), Sch. 5 para. 5(2)(b) and repealed (prosp.) by 2001 c. 19, s. 38, Sch. 7 Pt. 7; S.I. 2002/345, art. 2 (subject to art. 3)
- F5** S. 12A(2): words in the definition of “drug testing officer” substituted (28.2.2002) by 2001 c. 19, s. 32(9), Sch. 5 para. 5(4); S.I. 2002/345, art. 2 (subject to art. 3)

VALID FROM 03/02/2006

### [<sup>F6</sup>12B Failure to provide sample after serious incident

Any person subject to this Act who, without reasonable excuse, fails to comply with a request made under subsection (3) or (4) of section 32 of the Armed Forces Act 2001 (powers to test for alcohol or drugs after serious incident) shall be guilty of an offence and shall be liable to imprisonment for a term not exceeding six months or any less punishment provided by this Act.]

#### Textual Amendments

- F6** S. 12B inserted (3.2.2006) by 2001 c. 19, ss. 32(9), 39(2), Sch. 5 para. 6; S.I. 2006/235, art. 2 (with art. 3)

## 13 Fighting and quarrelling.

Every person subject to this Act who [<sup>F7</sup>without reasonable excuse]—

- (a) fights . . . <sup>F8</sup> with any other person, whether subject to this Act or not; or

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(b) uses threatening, abusive, insulting or provocative words or behaviour likely to cause a disturbance,  
shall be liable to imprisonment for a term not exceeding two years or any less punishment authorised by this Act.

#### Textual Amendments

- F7** Words inserted by [Armed Forces Act 1971 \(c. 33\), ss. 16\(3\), 78\(4\)](#)  
**F8** Words repealed by [Armed Forces Act 1971 \(c. 33\), s. 78\(4\), Sch. 4 Pt. I](#)

## 14 Obstruction of provost officers.

Every person subject to this Act who . . . <sup>F9</sup> obstructs, or . . . <sup>F9</sup> refuses, when called on, to assist, any provost officer, or any person (whether subject to this Act or not) legally exercising authority under or on behalf of a provost officer, shall be liable to imprisonment for a term not exceeding two years or any less punishment authorised by this Act:

[<sup>F10</sup>Provided that it shall be a defence for any person charged under this section to prove that he neither knew nor had reasonable cause to believe that the person in relation to whom the offence is alleged to have been committed was a provost officer or, as the case may be, a person legally exercising authority under or on behalf of a provost officer.]

#### Textual Amendments

- F9** Word repealed by [Armed Forces Act 1971 \(c. 33\), s. 78\(4\), Sch. 4 Pt. I](#)  
**F10** Proviso inserted by [Armed Forces Act 1971 \(c. 33\), ss. 9\(1\)\(b\)\(2\), 78\(4\)](#)

## [<sup>F11</sup>14A Disobedience to standing orders.

- (1) Every person subject to this Act who contravenes or fails to comply with any provision of orders to which this section applies, being a provision known to him or which he might reasonably be expected to know, shall be liable to imprisonment for a term not exceeding two years or any less punishment authorised by this Act.
- (2) This section applies to standing orders or other routine orders of a continuing nature made for any formation or unit or body of Her Majesty's forces, or for any command or other area, garrison or place, or for any ship, vessel, train or aircraft.]

#### Textual Amendments

- F11** [S. 14A](#) inserted by [Armed Forces Act 1971 \(c. 33\), ss. 10\(3\), 78\(4\)](#)

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