

*Status: Point in time view as at 01/10/1996.*

*Changes to legislation: Naval Discipline Act 1957 (repealed), Cross Heading: Offences relating to property is up to date with all changes known to be in force on or before 14 July 2024.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# Naval Discipline Act 1957 (repealed)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

#### *Offences relating to property*

#### **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**F1** Act repealed (prosp.)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>29 **Damage to, and loss of, public or service property etc.**

- (1) Any person subject to this Act who—
  - (a) wilfully damages or causes the loss of, or is concerned in the wilful damage or loss of, any public or service property, or any property belonging to another person so subject, or
  - (b) by wilful neglect causes or allows damage to, or the loss of, any public or service property or property so belonging,shall be liable to imprisonment or any less punishment authorised by this Act.
- (2) Any person subject to this Act who—
  - (a) by any negligent act or omission causes or allows damage to, or the loss of, any public or service property, or
  - (b) is guilty of any wilful or negligent act or omission which is likely to cause damage to, or the loss of, any such property,shall be liable to imprisonment for a term not exceeding two years or any less punishment authorised by this Act.]

*Status: Point in time view as at 01/10/1996.*

**Changes to legislation:** Naval Discipline Act 1957 (repealed), Cross Heading: Offences relating to property is up to date with all changes known to be in force on or before 14 July 2024.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** Ss. 29, 29A, 30 substituted for ss. 29, 30 by [Armed Forces Act 1971 \(c. 33\)](#), [ss. 17\(1\)\(3\)](#), 78(4)

## 29A Damage to, and loss of, Her Majesty's aircraft or aircraft material.

- (1) Without prejudice to the generality of section 29 above, a person subject to this Act shall be guilty of an offence against this section if he—
- (a) wilfully damages or causes the loss of, or is concerned in the wilful damage or loss of, any of Her Majesty's aircraft or aircraft material, or
  - (b) by wilful neglect causes or allows damage to, or the loss of, any of Her Majesty's aircraft or aircraft material, or
  - (c) without lawful authority disposes of any of Her Majesty's aircraft or aircraft material, or
  - (d) by any negligent act or omission causes or allows damage to, or the loss of, any of Her Majesty's aircraft or aircraft material, or
  - (e) is guilty of any wilful or negligent act or omission which is likely to cause damage to, or the loss of, any of Her Majesty's aircraft or aircraft material, or
  - (f) during a state of war, wilfully and without proper occasion, or negligently, causes the sequestration by or under the authority of a neutral state, or the destruction in a neutral state, of any of Her Majesty's aircraft.
- (2) A person guilty of an offence against this section shall be liable—
- (a) if his offence consisted in an act or omission falling within paragraph (a), (b) or (c) of subsection (1), or if it consisted in an act or omission falling within paragraph (f) of that subsection and it is proved that he acted wilfully or with wilful neglect, to imprisonment or any less punishment authorised by this Act;
  - (b) in any other case, to imprisonment for a term not exceeding two years or any less punishment authorised by this Act.

## [<sup>F2</sup>29B Interference etc. with equipment, messages or signals.

- (1) Any person subject to this Act who by any conduct of his—
- (a) intentionally impairs the efficiency or effectiveness of any equipment which is public or service property; or
  - (b) intentionally interferes with or modifies any message or other signal which is being transmitted, by means of a telecommunication system, directly or indirectly to or from any such equipment,
- shall be liable to imprisonment or any less punishment authorised by this Act.
- (2) Any person subject to this Act who is guilty of any conduct which is likely to have the effect—
- (a) of impairing the efficiency or effectiveness of any such equipment; or
  - (b) of interfering with or modifying any such message or signal,
- shall (whether or not that conduct has that effect) be liable to imprisonment for a term not exceeding two years or any less punishment authorised by this Act.
- (3) It shall be a defence for a person charged with an offence under subsection (2) of this section in respect of any conduct likely to have a particular effect that, in

*Status: Point in time view as at 01/10/1996.*

**Changes to legislation:** Naval Discipline Act 1957 (repealed), Cross Heading: Offences relating to property is up to date with all changes known to be in force on or before 14 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)

the circumstances, his conduct was in all respects consistent with the exercise of reasonable care to avoid producing that effect.

(4) For the purposes of this section the efficiency or effectiveness of any equipment is impaired if, whether or not it is damaged, the equipment is made temporarily or permanently less efficient or effective either for all purposes or for a particular purpose for which it has been designed, adapted, adjusted or programmed.

(5) in this section—

“conduct” includes any act or omission;

“equipment” includes any apparatus, any computer and any vessel, aircraft or vehicle; and

“telecommunication system” has the same meaning as in the Telecommunications Act<sup>M1</sup>1984.]

#### Textual Amendments

**F2** S. 29B inserted by [Armed Forces Act 1986 \(c. 21, SIF 7:1\)](#), s. 2(1)(2)

#### Marginal Citations

**M1** [1984 c.12\(96\)](#).

### 30 Misapplication and waste of public or service property.

Any person subject to this Act who misapplies or wastefully expends any public or service property shall be liable to imprisonment for a term not exceeding two years or any less punishment provided by this Act.

#### Modifications etc. (not altering text)

**C1** S. 30 extended (E.W.) (S.) by [Rehabilitation of Offenders Act 1974 \(c. 53\)](#), s. 2(3)(b)

### 31 Offences relating to issues and decorations.

(1) Every person subject to this Act who makes away with (whether by pawning, selling, destroying or in any other way), or loses or by negligence damages or allows to be damaged—

(a) any clothing, arms, ammunition or other equipment issued to him for his use for naval purposes; or

(b) any naval, military or air force decoration granted to him,

shall be liable to imprisonment for a term not exceeding two years or any less punishment authorised by this Act.

(2) It shall be a defence for a person charged under this section with losing any property that he took reasonable steps for its care and preservation.

#### Modifications etc. (not altering text)

**C2** S. 31 extended (E.W.) (S.) by [Rehabilitation of Offenders Act 1974 \(c. 53\)](#), s. 2(3)(b)

**Status:**

Point in time view as at 01/10/1996.

**Changes to legislation:**

Naval Discipline Act 1957 (repealed), Cross Heading: Offences relating to property is up to date with all changes known to be in force on or before 14 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.