



Naval Discipline Act 1957 (repealed)

1957 CHAPTER 53 5 and 6 Eliz 2

PART II

TRIAL AND PUNISHMENT OF OFFENCES

^{F1} Custody

^{F2}^{F1}47C Review of custody by commanding officer.

- (1) The commanding officer of a person kept in naval custody in accordance with section 47B of this Act shall, subject to subsection (3) below, review the keeping of that person in naval custody not later than the end of the period for which it is authorised.
- (2) Subsections (4) and (5) of section 47B of this Act shall apply on each review under this section as they apply where a report is received under subsection (1) of that section.
- (3) A review may be postponed—
 - (a) if, having regard to all the circumstances prevailing at the expiry of the last authorisation under subsection (4) of that section, it is not practicable to carry out the review at that time;
 - (b) without prejudice to the generality of paragraph (a) above—
 - (i) if at that time the person in naval custody is being questioned and the commanding officer is satisfied that an interruption of the questioning for the purpose of carrying out the review would prejudice the investigation in connection with which he is being questioned; or
 - (ii) if at that time the commanding officer is not readily available.
- (4) If a review is postponed under subsection (3) above—
 - (a) it shall be carried out as soon as practicable after the expiry of the last authorisation under section 47B(4) of this Act, and
 - (b) the keeping in naval custody of the person to whom the review relates shall by virtue of this paragraph be authorised until that time.]

Status: Point in time view as at 01/01/2008. This version of this provision has been superseded.

Changes to legislation: Naval Discipline Act 1957 (repealed), Section 47C is up to date with all changes known to be in force on or before 08 July 2024.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. 47A-47F and crossheading inserted (2.10.2000) by [2000 c. 4, s. 1\(3\)](#); [S.I. 2000/2366, art. 2](#) (with [Sch. para. 15](#))
- F2** Ss. 47A-47F inserted (2.10.2000) by [2000 c. 4, s. 1\(3\)](#); [S.I. 2000/2366, art. 2](#) (with [Sch. para. 15](#))

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- F1** Act repealed (prosp.)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 01/01/2008. This version of this provision has been superseded.

Changes to legislation:

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