



Naval Discipline Act 1957 (repealed)

1957 CHAPTER 53 5 and 6 Eliz 2

PART II

TRIAL AND PUNISHMENT OF OFFENCES

Proceedings of courts-martial

60 Administration of oaths.

- (1) An oath shall be administered separately to each member of a court-martial, to the judge advocate, the clerk of the court and any officer in attendance for instruction in the duties of judge advocate or clerk of the court, and to any person appointed to attend . . . ^{F1}as interpreter.
- [^{F2}(2) A witness before a court-martial—
 - (a) shall be examined on oath if he has attained the age of fourteen; and
 - (b) shall give evidence unsworn if he is under that age.
- (3) Unsworn evidence admitted by virtue of subsection (2)(b) above may corroborate evidence (sworn or unsworn) given by any other person.]
- [^{F3}(3A) Unsworn evidence admitted by virtue of subsection (3) above may corroborate evidence (sworn or unsworn) given by any other person.]
- (4) A person shall be permitted to make a solemn affirmation instead of taking an oath under this section—
 - (a) if he objects to being sworn, . . . ^{F4}; or
 - (b) if it is not reasonably practicable to administer an oath to him in the manner appropriate to his religious belief.
- (5) An oath or affirmation required to be administered under this section shall be in such form, and shall be administered at such time, by such person and in such manner, as may be prescribed by General Orders under section fifty-eight of this Act.

Status: Point in time view as at 01/10/1992. This version of this provision has been superseded.

Changes to legislation: Naval Discipline Act 1957 (repealed), Section 60 is up to date with all changes known to be in force on or before 04 May 2024.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)

[^{F5}(6) A person who may be permitted under this section to make his solemn affirmation may also be required to do so, and for the purposes of this section “reasonably practicable” means reasonably practicable without inconvenience or delay.]

Textual Amendments

- F1** Words repealed by [Armed Forces Act 1976 \(c. 52\)](#), **Sch. 10**
- F2** [S. 60\(2\)\(3\)](#) substituted (1.10.1992 as regards England and Wales but otherwise *prosp.*) by [Criminal Justice Act 1991 \(c. 53\)](#), ss. 71, 102(2)(8), **Sch. 9 para. 7**; S.I. 1992/333, arts. 2(2), 3(1), **Sch. 2**.
- F3** [S. 60\(3A\)](#) inserted (1.1.1992) by [Armed Forces Act 1991 \(c. 62, SIF 7:1\)](#), s. 26(1), **Sch. 2 para. 3(2)(b)**; S.I. 1991/2719, **art. 2** and repealed (1.10.1992 as regards England and Wales but otherwise *prosp.*) by [Criminal Justice Act 1991 \(c. 53\)](#), ss. 101(2), 102(2)(8), **Sch. 13**; S.I. 1992/333, arts. 2(2), 3(1), **Sch. 2**.
- F4** Words repealed by [Administration of Justice Act 1977 \(c. 38\)](#) Sch. 5 Pt. II
- F5** [S. 60\(6\)](#) added by [Oaths Act 1961 \(c. 21\)](#), **s. 1**; saved by [Oaths Act 1978 \(c. 19\)](#), **s. 7(4)**

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:

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Changes to legislation:

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