



# Naval Discipline Act 1957 (repealed)

1957 CHAPTER 53 5 and 6 Eliz 2

## PART II

TRIAL AND PUNISHMENT OF OFFENCES

*[<sup>F1</sup>Findings of unfitness to stand trial and insanity]*

### <sup>X1</sup>66 **Record of proceedings of courts-martial.**

- (1) As soon as practicable after the conclusion of a court-martial, the [<sup>F1</sup>court administration officer shall transmit the record of the proceedings] to [<sup>F2</sup>the Defence Council].
- (2) Subject to the provisions of this section, a person who has been charged before a court-martial shall be entitled, on application made to <sup>F2</sup>the Defence Council within five years after the conclusion of the proceedings before the court-martial, to receive a copy of the record of the proceedings, subject to payment of such fee (if any), not exceeding the cost of making the copy, as may be required by <sup>F2</sup>the Defence Council.
- (3) Where a person charged as aforesaid dies within the period of five years mentioned in subsection (2) of this section, his personal representatives, or any person who in the opinion of <sup>F2</sup>the Defence Council ought to be treated for the purposes of this subsection as his personal representative, shall, on application made to <sup>F2</sup>the Defence Council within one year after his death, have the like right to receive a copy of the record as that person would have had on application made under that subsection.
- <sup>F3</sup>[(3A) The right of a person or his representatives to obtain a copy of the record under this section does not extend to so much of the record as relates only to a charge of which he was found not guilty.]
- (4) If, on application made in pursuance of this section for a copy of the record of any proceedings, <sup>F2</sup>the Defence Council certify that it is necessary for reasons of security that the proceedings or any part thereof should not be disclosed, the applicant shall not be entitled to a copy of the proceedings or part to which the certificate relates.

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*Status: Point in time view as at 31/03/2005. This version of this provision has been superseded.*

*Changes to legislation: Naval Discipline Act 1957 (repealed), Section 66 is up to date with all changes known to be in force on or before 23 June 2024.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)*

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### Editorial Information

- X1** The insertion of the new crossheading "Findings of unfitness to stand trial and insanity" into Pt. II on 31.3.2005 gives rise to a change in the structure of this piece of legislation on SLD which breaks the continuity of historical versions of the existing provisions which are now brought under that new crossheading.

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### Textual Amendments

- F1** Words in s. 66(1) substituted (1.4.1997 with savings) by 1996 c. 46, s. 5, **Sch. 1 Pt. IV para. 88**; S.I. 1997/304, **art. 2** (with art. 3)
- F2** Words substituted by S.I. 1964/488, **Sch. 1 Pt. I**
- F3** S. 66(3A) inserted by **Armed Forces Act 1981 (c. 55), s. 7(3)(4)** except in relation to a record of proceedings commenced before 1.5.1982

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### 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 31/03/2005. This version of this provision has been superseded.

**Changes to legislation:**

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