



Naval Discipline Act 1957 (repealed)

1957 CHAPTER 53 5 and 6 Eliz 2

PART II

TRIAL AND PUNISHMENT OF OFFENCES

Service of sentence of imprisonment or detention

[^{F1}82A Country for service of sentence.

- (1) A person serving in the United Kingdom a sentence of imprisonment or detention awarded under this Act may (in so far as may be specified by or under Naval Detention Quarters Rules) be removed out of the United Kingdom to, but only to—
 - (a) any colony in which he was entered for service in the Royal Navy, or
 - (b) any place outside the United Kingdom where the ship or naval establishment to which he for the time being belongs is situated.
- (2) Subject to the following provisions of this section, a person sentenced by a court-martial held outside the United Kingdom to imprisonment or detention for a term exceeding twelve months shall as soon as practicable be removed to the United Kingdom.
- (3) Subsection (2) above shall not apply in relation to any person belonging to a class of persons specified by or under Naval Detention Quarters Rules as persons whose removal to the United Kingdom would, for reasons of climate, place of birth or place of entry in the Royal Navy, or for any other reason, not be beneficial.
- (4) Where a person has been sentenced by a court-martial held outside the United Kingdom to imprisonment or detention for a term exceeding twelve months, the Defence Council may, notwithstanding anything in subsection (2) above, direct that he shall not be required to be removed to the United Kingdom until he has served such part of his sentence, not exceeding two years, as may be specified in the direction; and in determining whether or not to exercise the power conferred by this subsection, the Defence Council shall have regard to any recommendation in that behalf made by the court-martial.

Status: Point in time view as at 01/04/2000. This version of this provision has been superseded.

Changes to legislation: Naval Discipline Act 1957 (repealed), Section 82A is up to date with all changes known to be in force on or before 03 August 2024.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)

- (5) Any direction under subsection (4) above may at any time be revoked by the Defence Council or superseded by a subsequent direction thereunder.
- (6) In ascertaining at any time for the purposes of this section the nature or length of any sentence, regard shall be had to any commutation or remission of the sentence previously directed.]

Textual Amendments

F1 S. 82A added by [Armed Forces Act 1971 \(c. 33\)](#), **s. 52(1)**

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 01/04/2000. This version of this provision has been superseded.

Changes to legislation:

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