



# Naval Discipline Act 1957 (repealed)

1957 CHAPTER 53 5 and 6 Eliz 2

## PART II U.K.

### TRIAL AND PUNISHMENT OF OFFENCES

#### *Suspension and reconsideration of sentences of imprisonment and detention*

#### 92 Reconsideration of sentences. U.K.

- (1) Where any person has been sentenced under this Act to imprisonment or detention and the sentence is not for the time being suspended under section ninety of this Act, the unexpired portion of the sentence may be remitted by an order made—
  - (a) in any case, by [<sup>F1</sup>the Defence Council] or by any officer holding such command as may be prescribed by regulations made by [<sup>F1</sup>the Defence Council];
  - (b) where the committal order or last committal order under section eighty-one or section ninety-one of this Act was issued by an officer not holding such command, by that officer,and in any such case the offender shall be discharged from custody.
- (2) Any sentence of imprisonment or detention which is for the time being suspended under the said section ninety may at any time be reconsidered by [<sup>F1</sup>the Defence Council] or any other authority by whom the sentence was or could have been suspended, and shall be so reconsidered at intervals of not more than three months; and if on any such reconsideration it appears that the conduct of the offender since his conviction has been such as to justify remission of the sentence, whether in whole or in part, it shall be remitted accordingly.
- [<sup>F2</sup>(3) Without prejudice to subsection (2) above, a sentence of imprisonment or detention which has been suspended shall, unless the suspension has been sooner determined, be remitted by virtue of this subsection at the expiry of one year from the date on which the suspension took effect.]

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*Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.*

**Changes to legislation:** *Naval Discipline Act 1957 (repealed), Section 92 is up to date with all changes known to be in force on or before 14 July 2024.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)*

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#### **Textual Amendments**

- F1** Words substituted by [S.I. 1964/488, Sch. 1 Pt. I](#)
- F2** S. 92(3) added by [Armed Forces Act 1971 \(c. 33\), s. 54\(2\)](#)

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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 01/02/1991. This version of this provision has been superseded.

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