



Naval Discipline Act 1957

1957 CHAPTER 53

PART I

ARTICLES OF WAR

Desertion and absence without leave

15 Definition of "desertion"

A person is guilty of desertion within the meaning of this Act if he leaves or fails to attend at his ship or place of duty with the intention of remaining permanently absent from duty without proper authority or if, having left or failed to attend at his ship or place of duty in any circumstances, he does any act with the like intention.

16 Offences of desertion

- (1) Every person subject to this Act who deserts shall be liable to imprisonment for any term or any less punishment authorised by this Act.
- (2) A person convicted of desertion shall, except so far as the court or officer by whom he is tried or the Admiralty may otherwise direct, forfeit all pay, bounty, salvage and allowances earned by him, all annuities, pensions and gratuities granted to him, and all clothes and effects left by him on board his ship or at his place of duty.
- (3) Every person subject to this Act who incites any other person subject thereto to desert shall be liable to imprisonment for a term not exceeding two years or any less punishment authorised by this Act.

17 Absence without leave, etc.

- (1) Every person subject to this Act who, without being guilty of desertion.—
 - (a) absents himself without leave ; or
 - (b) improperly leaves his ship or place of duty,

Status: This is the original version (as it was originally enacted).

shall be liable to imprisonment for a term not exceeding two years or any less punishment authorised by this Act, and to such other punishment by way of forfeiture of pay or other benefits as may be prescribed by regulations made by the Admiralty.

- (2) Every person subject to this Act who incites any other person subject thereto to absent himself, or to leave his ship or place of duty, in contravention of this section shall be liable to imprisonment for a term not exceeding two years or any less punishment authorised by this Act.

18 Failure to report deserters and absentees

Every person subject to this Act who, knowing that any other person subject thereto has deserted, absented himself without leave, or improperly left his ship or place, of duty, or is attempting to desert, to absent himself without leave or improperly to leave his ship or place of duty.—

(a) fails to report the fact without delay; or

(b) fails to take any steps within his power to cause that person to be apprehended,

shall be liable to imprisonment for a term not exceeding two years or any less punishment authorised by this Act.