



Naval Discipline Act 1957

1957 CHAPTER 53

PART IV

MISCELLANEOUS AND GENERAL

Application to particular countries and territories

123 Scotland

- (1) The provisions of this section shall have effect for the purpose of the application of this Act to Scotland.
- (2) In subsection (2) of section forty-seven and in subsection (2) of section one hundred and ten, for the reference to a justice of the peace there shall be substituted a reference to the sheriff or to a member of the court, as the case may be.
- (3) In section forty-eight, the expression " manslaughter means culpable homicide.
- (4) In subsection (2) of section eighty, references to the Capital Punishment Amendment Act, 1868, and to section seven of that Act, shall be construed as references to that Act and that section as they apply to Scotland, and for the reference to the sheriff there shall be substituted a reference to the lord provost or provost, or magistrate or magistrates, charged with seeing the sentence of death carried into effect.
- (5) In section eighty-two, in subsection (1), for the reference to the Coroners Acts, 1887 to 1926, there shall be substituted a reference to section twenty-five of the Prisons (Scotland) Act, 1952, and in subsection (3) the reference to sections thirty-nine to forty-two of the Prison Act, 1952, shall include a reference to section thirty of the Prisons (Scotland) Act, 1952.
- (6) In section ninety-eight, the expression " chattel" means corporeal moveable.
- (7) In subsection (5) of section one hundred and one, the expression " putative father" means the person proved or admitted to be the father.

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- (8) In subsection (2) of section one hundred and six, for the words from " and that officer " to the end of the subsection there shall be substituted the words " who shall report the matter to the procurator fiscal ".
- (9) In subsection (4) of section one hundred and nine, for the words from the beginning to " such proceedings " there shall be substituted the words " For the purposes of any proceedings under this section ".

124 Northern Ireland

- (1) The provisions of this section shall have effect for the purposes of the application of this Act to Northern Ireland.
- (2) In subsection (2) of section eighty, references to the Capital Punishment Amendment Act, 1868, to section seven of that Act, and to rules made under the said section seven, shall be construed as references to that Act and that section as in force from time to time in Northern Ireland, and to any rules under that section as so in force, and accordingly the reference to the sheriff shall be construed as a reference to the under-sheriff.
- (3) In section eighty-two, in subsection (1), for the words " the Coroners Acts, 1887 to 1926 " there shall be substituted the words " section thirty-nine of the Prison Act (Northern Ireland), 1953, with any necessary modifications " , and in subsection (3) the reference to sections thirty-nine to forty-two of the Prison Act, 1952, shall include a reference to sections twenty-eight to thirty-six of the Prison Act (Northern Ireland), 1953.
- (4) Subsection (3) of section one hundred shall not apply ; and all fines imposed in proceedings taken before a court of summary jurisdiction in Northern Ireland shall be dealt with in the manner provided by section twenty of the Administration of Justice Act (Northern Ireland), 1954.
- (5) For the purposes of section one hundred and one the expression " maintenance order " shall include an order made under section one of the Illegitimate Children (Affiliation Orders) Act (Northern Ireland), 1924.
- (6) In subsection (4) of section one hundred and nine for the reference to the Magistrates' Courts Act, 1952, there shall be substituted a reference to the Summary Jurisdiction Acts (Northern Ireland) and the rules made thereunder.

125 Channel Islands and Isle of Man

- (1) This Act shall apply to the Channel Islands and the Isle of Man in accordance with the following provisions of this section.
- (2) Any reference in this Act to the United Kingdom (except the references in section eighty and in subsections (3) and (4) of section eighty-eight) shall be construed as including a reference to the Channel Islands and the Isle of Man.
- (3) Subsection (5) of section one hundred and one shall have effect as if—
 - (a) the reference to the Maintenance Orders (Facilities for Enforcement) Act, 1920, included a reference to an Act of Tynwald entitled the Maintenance Orders (Facilities for Enforcement) Act, 1921, a law of the States of Jersey entitled the Maintenance Orders (Facilities for Enforcement) (Jersey) Law,

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1953 and a law of the States of Guernsey entitled the Maintenance Orders (Facilities for Enforcement) (Guernsey) Law, 1955; and

- (b) the reference to an affiliation order within the meaning of the Affiliation Orders Act, 1914, included a reference to an order made under section three of an Act of Tynwald entitled the Bastardy Act Amendment Act, 1924, or under the laws of the States of Guernsey, entitled the Illegitimacy Laws, 1927 and 1955.

126 Colonies

- (1) This section shall have effect for the purposes of the application of this Act to the colonies.
- (2) Any reference in this Act to a constable shall be construed as or as including a reference to a person having the powers of a constable within a colony.
- (3) Any reference in this Act to a court of summary jurisdiction, to a justice of the peace or to summary conviction shall be construed as a reference to a court exercising corresponding jurisdiction within a colony, to a judge or member of such a court or to conviction by such a court, as the case may be; and the reference in subsection (4) of section one hundred and nine of this Act to the Magistrates' Courts Act, 1952, shall be construed as a reference to any corresponding law of a colony.
- (4) Any reference in this Act to a civil prison or to the governor of such a prison shall be construed as a reference to a prison or institution in which persons sentenced by a civil court in a colony may be confined, or to the governor, superintendent or other person in charge of such a prison or institution, as the case may be.
- (5) In the application to a colony of any enactment contained in Part III of this Act providing for the imposition of a fine there shall, if the law of the colony so provides, be substituted for the fine specified in that enactment such higher or lower fine as may be provided by that law; and it shall be competent for the law of any colony to declare what amount of the local currency is to be treated as equivalent to the amount of money specified in any such enactment.

127 Protectorates, protected states, trust territories and federated territories

- (1) This Act shall apply in relation to any of the following, that is to say—
 - (a) any territory under Her Majesty's protection ;
 - (b) any territory for the time being administered by Her Majesty's Government in the United Kingdom under the trusteeship system of the United Nations ;
 - (c) any country or territory consisting of two or more of any of the following units, namely colonies, territories under Her Majesty's protection or territories administered as aforesaid,

as it applies in relation to a colony; and references in this Act to Her Majesty's dominions shall be construed as including references to any such territory as is described in paragraph (a) or paragraph (b) of this subsection.

- (2) Any reference in this Act to the law of a colony shall include, in relation to any two or more units described in paragraph (c) of subsection (1) of this section which are under a central legislature, references to law made by that legislature.
- (3) Without prejudice to the foregoing provisions of this section, references in this Act to Her Majesty's forces or to the armed forces of the Crown (other than references to Her

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Majesty's naval forces) shall include references to the armed forces of the Federation of Malaya, and references in this Act to Her Majesty's service or to the service or naval service of Her Majesty shall include references to the service or naval service of that Federation.

128 Republic of Ireland

Notwithstanding anything in the Ireland Act, 1949, this Act shall apply in relation to the Republic of Ireland as it applies in relation to a foreign country, and not as it applies in relation to any part of Her Majesty's dominions.