



# Naval Discipline Act 1957

## 1957 CHAPTER 53

### PART IV

#### MISCELLANEOUS AND GENERAL

##### *Miscellaneous provisions*

#### **129 Jurisdiction of civil courts**

- (1) Where a person subject to this Act is acquitted or convicted of an offence on trial by a court-martial or disciplinary court, or on summary trial under section forty-nine of this Act, a civil court shall be debarred from trying him subsequently for the same offence; but except as aforesaid nothing in this Act shall be construed as restricting the jurisdiction of any civil court to try a person subject to this Act for any offence.
- (2) Where a person subject to this Act is acquitted or convicted of an offence on trial by a civil court, he shall not subsequently be tried under this Act for the same offence; and no person so convicted shall, by reason of the conviction or the offence, be subjected to any loss or forfeiture of seniority or of rate, of privilege in respect of leave, or of pay or service (other than pay and service in respect of time spent in civil custody pending trial, or while attending his trial, or while serving any sentence of imprisonment, corrective training, preventive detention, detention in a Borstal institution or other detention awarded by the civil court):

Provided that nothing in this subsection shall affect the power to discharge any person from Her Majesty's service as a person whose services are no longer required; and notwithstanding anything in this subsection a rating who would otherwise be so discharged may, on his own application, be reverted in lieu of being so discharged.

#### **130 Redress of complaints**

- (1) If any person subject to this Act thinks that he has suffered any personal oppression, injustice or other ill-treatment, he may make a complaint in accordance with the procedure laid down in Queen's Regulations and Admiralty Instructions; and, if the

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*Status: This is the original version (as it was originally enacted).*

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complainant is not satisfied with the decision of the authority to whom his complaint is made as aforesaid, and that authority neglects or refuses, when requested so to do, to forward the complaint to the next superior authority, the complainant shall be entitled to make a complaint direct to the next superior authority, and so on.

- (2) It shall be the duty of any authority receiving a complaint under this section to have it investigated as soon as practicable and to take any steps for redressing the matter complained of which appear to that authority to be necessary.

### **131 Ships under convoy**

- (1) It is the duty of the master or other person for the time being in command of any vessel comprised in a convoy under the command of an officer of Her Majesty's naval forces, or of any person appointed in that behalf with the authority of the Admiralty, to obey, in all matters relating to the navigation or security of the convoy, any directions which may be given—
- (a) where the convoy is escorted by any of Her Majesty's ships or vessels, by the commanding officer of any such ship or vessel;
  - (b) in any case, by the said officer or other person in command of the convoy,
- and to take such precautions for avoiding the enemy as may be required by any such directions.
- (2) If any such directions are not obeyed, any such commanding officer, or the said officer or other person in command of the convoy, may compel obedience by force of arms, and neither he nor any person acting under his orders shall be liable for any injury or loss of life or any damage to or loss of property resulting therefrom.