

SCHEDULES

SCHEDULE 16

MINOR AND CONSEQUENTIAL AMENDMENTS

Naval Discipline Act 1957 (c. 53)

- 28 (1) Section 52D of that Act (summary trial) is amended as follows.
- (2) For subsections (2) and (2ZA) substitute—
- “(2) The commanding officer or appropriate superior authority (as the case may be) shall afford the accused the opportunity of electing court-martial trial.”
- (3) In subsection (4) for paragraph (b) substitute—
- “(b) if the accused is an officer below the rank of captain whose commanding officer satisfies the conditions in section 52B(6A)(a) and (b), refer the charge back to the commanding officer of the accused;
- (c) if the accused is an officer other than one within paragraph (b) above, refer the charge back to the appropriate superior authority;”.
- (4) In subsection (4A) for “Subsections (2) and (2ZA) above do not” substitute “Subsection (2) above does not”.
- (5) In subsection (4C) for “subsection (2) or (2ZA) above” substitute “subsection (2) above”.