1958 No. 561

The Certificates of Arrest and Surrender of Deserters and Absentees (Navy) Regulations, 1958

Made - - - - 27*th March*, 1958
Coming into Operation 1*st January*, 1959

The Admiralty, in exercise of the powers conferred upon them by section 110 of the Naval Discipline Act, 1957(a), and of all other powers enabling them in that behalf, hereby make the following Regulations:—

1.—(1) These Regulations may be cited as "The Certificates of Arrest and Surrender of Deserters and Absentees (Navy) Regulations, 1958" and shall come into operation on such date as may be appointed for the coming into force of the Naval Discipline Act, 1957.

(2) The Interpretation Act, 1889(b), shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

2. Where, under section 108 of the Naval Discipline Act, 1957, an officer of police causes any person to be delivered into naval custody without being brought before a court of summary jurisdiction the certificate which is required by subsection (1) of section 110 of that Act to be handed over with him shall be in the form specified in Part I of the Schedule to these Regulations and shall contain the particulars therein set out relating to his surrender.

3.—(1) Where under section 109 of the Naval Discipline Act, 1957, a court of summary jurisdiction causes any person to be delivered into naval custody, or any person is so delivered after having been committed under that section, the certificate which is required by subsection (2) of section 110 of that Act to be handed over with him shall be in the form specified in Part II of the Schedule to these Regulations and shall contain the particulars therein set out relating to his arrest or surrender and the proceedings before the court.

(2) The fee payable to the clerk of the court in respect of such a certificate as is referred to in paragraph (1) of this Regulation shall be:—

(*a*) in the case of a clerk of a court of summary jurisdiction in Scotland—the sum of six shillings and sixpence; and

(*b*) in any other case the sum of two shillings, or in a colony the equivalent amount of local currency,

and shall be paid by the supply officer of the ship or naval establishment receiving the certificate.

Dated this twenty-seventh day of March, 1958.

D. E. Holland-Martin,
G. Hubback,
Two of the Commissioners for executing the office of Lord High Admiral.

(a) 5 & 6 Eliz. 2. c. 53. (b) 52 & 53 Vict. c. 63.

SCHEDULE

PART I

Certificate in accordance with Section 110 (1) *of the Naval Discipline Act,* 1957

I certify that ..... (full names) surrendered himself at ..... (place) at ..... (time) on the ..... day of ..... 19... (as being illegally absent from ..... (ship or naval establishment)). At the time of his arrest he $\frac{\text{was not wearing}}{\text{was wearing}}$ ..... the uniform of any of H.M. naval forces(*a*). .....(*b*).

He gave the following particulars/appears to be(*a*):—

Official number .....

Rank or rating .....

Ship or establishment .....

Dated this ..... day of ..... 19...

Signature of officer of police in charge of police station where the person named above surrendered or was taken on surrender } .....

(*a*) Delete as necessary.

(*b*) Where the uniform of one of H.M. naval forces was worn here state "naval uniform", "Royal Marines uniform" or as the case may require.

PART II

Certificate in accordance with section 110 (2) *of the Naval Discipline Act,* 1957

I certify that ..... (full names), whose service particulars are given below, appeared before a court of summary jurisdiction at ..... on the ..... day of ..... 19... in accordance with section 109 of the Naval Discipline Act, 1957, having (*a*)..... at ..... (place) at .....(time) on the ..... day of ..... 19.... At the time of his arrest/surrender(*b*) he $\frac{\text{was not wearing}}{\text{was wearing}}$ ..... the uniform of any of H.M. naval forces(*b*). .....(*c*).

He was committed to civil custody/delivered into naval custody(*b*) in accordance with the said section. The above facts were proved to the satisfaction of the court by the evidence of ..... (names of witnesses). Opportunity was given to cross-examine the witnesses. ..... (name of prisoner) admitted that he illegally absented himself from ..... (ship or naval establishment) at ..... (place) on..... (date)(*d*).

Service particulars of the person named above:—

Official number .....

Rank or rating .....

Ship or establishment .....

Signature of (Justice of the Peace for) (Sheriff) (Member of Court)(*b*).

.....

(*a*) Insert here "surrendered to....." or "been arrested by....." as the case required. (*b*) Delete as necessary.

(*c*) Where the uniform of one of H.M. naval forces was worn here state "naval uniform" "Royal Marines uniform" or as the case may require. (*d*) Delete if inappropriate.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations, which are made under section 110 of the Naval Discipline Act, 1957, prescribe the form of certificate to be handed over when a naval absentee or deserter, who has surrendered himself to the police, is delivered into naval custody. They also prescribe the form of certificate to be handed over when an absentee or deserter is delivered into naval custody as a result of proceedings before a court of summary jurisdiction, and they fix the fee payable to the clerk of the court in respect of such a certificate.

ST. HELENA

1958 No. 1255

The Eastern African Court of Appeal (Amendment) Order in Council, 1958

For the text of this Order *see* Pt. I, p. 1003 of this volume.

SAVINGS BANKS

1958 No. 787

The Savings Bank (Fees) (Amendment) Warrant, 1958

Laid before Parliament in draft
Made - - - - 9*th May*, 1958
Coming into Operation 9*th May*, 1958

The Lords Commissioners of Her Majesty's Treasury pursuant to the powers conferred upon them by subsection one of section seventy-six of the Trustee Savings Banks Act, 1954(a), do hereby direct as follows:—

1. This warrant may be cited as the Savings Bank (Fees) (Amendment) Warrant, 1958, and shall come into operation on the day on which it is made.

2. Table I of Article 1 of the Treasury Warrant dated the 9th April, 1921(b), is hereby rescinded and the following Table is substituted therefor:—

TABLE I

Fees for certificates of Savings Bank Rules

	£	s.	d.
For every certificate of rules	20	0	0
For every certificate of alteration of rules	5	0	0

Harwood Harrison,
P. E. O. Bryan,
Two of the Lords Commissioners of Her Majesty's Treasury.

Dated the 9th day of May, 1958.

(a) 2 & 3 Eliz. 2. c. 63. (b) S.R. & O. 1921/622 (Rev. XX, p. 606 : 1921, p. 1149).