1959 No. 407

The Naval Discipline (Relations with the Royal Australian Navy) Order, 1959

Made - - - - 11*th March*, 1959
Coming into Operation 23*rd March*, 1959

At the Court at Buckingham Palace, the 11th day of March, 1959

Present,

The Queen's Most Excellent Majesty in Council

Whereas by subsection (2) of section 114 of the Naval Discipline Act, 1957(a), it is provided that where members of a force of any Commonwealth country are subject to that Act by virtue of the law of that country, Her Majesty may by Order in Council make such adaptations and modifications of that Act in relation to other members of Her Majesty's naval forces as may be desirable for the purpose of regulating the relations between those members of Her Majesty's naval forces and members of the force of that country;

And Whereas members of Her Majesty's Australian Navy are subject to the Naval Discipline Act, 1957, by virtue of the Naval Defence Act, 1910–1952(b), of the Commonwealth of Australia to the extent and subject to the modifications and adaptations provided by or under that Act;

Now therefore Her Majesty, in pursuance of the said subsection (2) of section 114 of the Naval Discipline Act, 1957, and of all other powers Her enabling in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. For the purpose of regulating the relations between members of the Royal Australian Navy and other members of Her Majesty's naval forces, the Naval Discipline Act, 1957, shall apply in relation to such other members as though in subsection (1) of section 53 of that Act the reference to "any officer of the Royal Navy" included any officer of the Royal Australian Navy.

2. This Order may be cited as the Naval Discipline (Relations with the Royal Australian Navy) Order, 1959, and shall come into operation on the twenty-third day of March, 1959.

W. G. Agnew.

EXPLANATORY NOTE

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

This Order enables commissions to be granted to officers of the Royal Australian Navy to order courts-martial under the Naval Discipline Act, 1957.

(a) 5 & 6 Eliz. 2. c. 53. (b) Commonwealth of Australia Act No. 30, 1910, as amended by No. 16, 1911; No. 21, 1912; No. 45, 1918; No. 45, 1934; No. 35, 1948; No. 72, 1944 and No. 14, 1942.