



THE NAVY REGULATIONS 1958, AMENDMENT NO. 7

DAVID BEATTIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 30th day of November 1981

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 88 (1) (g) and subsections (8) and (11) of section 89 of the Defence Act 1971, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Navy Regulations 1958, Amendment No. 7, and shall be read together with and deemed part of the Navy Regulations 1958* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 14th day after the date of their notification in the *Gazette*.

2. Modification of the Naval Discipline Act 1957—The First Schedule to the principal regulations (as substituted by regulation 2 (2) of the Navy Regulations 1958, Amendment No. 1) is hereby amended by inserting, after the item relating to subsection (1) of section 85 of the Naval Discipline Act 1957, the following item:

“By omitting subsection (2), and substituting the following subsection:

“(2) For the purposes of the foregoing subsection a sentence awarded to a person tried summarily under section 49 of this Act shall be taken to

*S.R. 1958/3

Amendment No. 1: S.R. 1959/40

Amendment No. 2: S.R. 1959/114

Amendment No. 3: S.R. 1963/117

Amendment No. 4: S.R. 1967/275

Amendment No. 5: S.R. 1972/103

Amendment No. 6: S.R. 1978/256

be awarded on the day on which the sentence, as approved in accordance with Orders made by the Defence Council, is announced to the offender by his commanding officer or, if the offender has been detained in custody since his trial, on the first day on which he was so detained.' ”

P. G. MILLEN,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations modify the Naval Discipline Act 1957 in its application to the New Zealand Naval Forces consequential upon the abolition of the naval punishment warrant. They repeal subsection (2) of section 85 (which contains references to the punishment warrant) and substitute a new subsection which provides when sentences of imprisonment and detention awarded at a summary trial shall be taken to be awarded for the purposes of subsection (1) of that section. Subsection (1) of that section provides that, as a general rule, such sentences shall commence on the day on which they are taken to be awarded.

Issued under the authority of the Regulations Act 1936.
Date of notification in *Gazette*: 3 December 1981.
These regulations are administered in the Ministry of Defence.