

Chapter 17

Naval chaplains

1. The Armed Forces (Naval Chaplains) Regulations 2008 make provisions for the Armed Forces Act 2006 (the Act) to apply to naval chaplains¹. As naval chaplains are commissioned as chaplains, but have no equivalent Service rank, they would otherwise fall outside some of the provisions of the Act relating to officers.
2. Naval chaplains are to be treated as officers for the purposes of Service law, except that they are exempted from sitting as members of the Court Martial or the Summary Appeal Court; this exemption places naval chaplains in the same position as Army and RAF chaplains.
3. For the purposes of offences of misconduct towards a superior officer, under section 11 of the Act, see [Chapter 7](#) (Non-criminal conduct (discipline) offences), the superior officer² for a naval chaplain is defined as the commanding officer (CO) or an officer not below the rank of captain RN, colonel or group captain. For principal chaplains the superior officer is the CO or an officer not below the rank of rear admiral, major general or air vice marshal.
4. For the purposes of offences of disobedience to lawful commands, under section 12 of the Act, see [Chapter 7](#) (Non-criminal conduct (discipline) offences), a lawful command³ may also be given by an officer in exercise of the functions delegated to him by the CO, such as the officer of the day or the orderly officer, as well as those listed at paragraph 3.
5. The regulations also provide that powers of arrest under section 67 of the Act may be exercised by those people mentioned in paragraphs 3 and 4⁴.
6. For summary discipline⁵ purposes naval chaplains are subject to the Act in the same way as a commander RN or equivalent.

¹ Section 371 of the Act.

² The Armed Forces (Naval Chaplains) Regulations 2009 regulation 4.

³ The Armed Forces (Naval Chaplains) Regulations 2009 regulation 5.

⁴ The Armed Forces (Naval Chaplains) Regulations 2009 regulation 4(3).

⁵ Section 52 of the Act.