



**BRd 2**

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# **BRd 2**

## **THE QUEEN'S REGULATIONS FOR THE ROYAL NAVY**

### **VERSION 6**

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**By Command of the Defence Council**

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**PROPOSALS FOR CHANGES**



**SELECT FORMS ON THE LAUNCH PAGE**

**BRd 2**

**THE QUEEN'S REGULATIONS FOR THE ROYAL NAVY**

**Equality and Inclusion**

Where appropriate, chapters in BRd (2) have been subject to Equality Analysis (EA) in accordance with Departmental policy. Chapter sponsors are responsible for conducting EA on any new or amended policy which affect the employment of personnel in order to ensure that it does not have a disproportionate impact on those in the Protected Characteristic groups.

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***By the Defence Council***

THE REGULATIONS AND INSTRUCTIONS contained in this volume (to be designated *The Queen's Regulations for the Royal Navy*) have been established by Her Majesty's Order in Council for the government of Her Majesty's Naval Service and of all those serving Her Majesty in association with or for the purposes of the Naval Service.

All Commanders-in-Chief, Flag Officers and other officers in command of Her Majesty's ships and vessels or in charge of naval establishments, are hereby required and directed to observe and obey these Regulations and Instructions and to take care that the officers and others under their command also pay the most strict attention and obedience thereto.

Every officer shall make himself acquainted with and shall duly observe and obey, and so far as he is able enforce the due execution of, the Armed Forces Act 2006 or other Acts in force, these Regulations, and all other regulations, orders or instructions that may be issued by the Defence Council or on their Authority, and shall in all respects act in conformity with the established customs and practices of Her Majesty's Service at sea.

Every direction contained herein is to be considered applicable to all whom it may concern, though it may appear in a chapter addressed to a particular class of officer.

***By Command of the Defence Council***

## **GOVERNMENT AND COMMAND OF THE ROYAL NAVY AND THE ROYAL MARINES**

### **J. Government and Command of the Services**

1. The government and command of each of the fighting Services is vested in Her Majesty The Queen, who has charged the Secretary of State with general responsibility for the defence of the Realm and established a Defence Council having command and administration over Her Armed Forces.
2. The Defence (Transfer of Functions) Act 1964 transferred to the Secretary of State the statutory functions of the previous Secretaries of State for War and Air and (except for certain specified functions relating to command and administration) of the former Board of Admiralty. The Act transferred to the Defence Council the statutory functions of the former Army Council and Air Council and corresponding statutory functions (including the excepted functions referred to above) of the former Board of Admiralty.
3. The Letters Patent of the Defence Council are reproduced at Annex A. The Council are given the prerogative functions of the former Board of Admiralty, Army Council and Air Council, are given administrative functions, are given command of all members of the Forces and are directed to set up an Admiralty Board, an Army Board and an Air Force Board.
4. The Directions of the Defence Council setting out the composition and duties of the Admiralty Board are reproduced at Annex B. The Board have, under the Defence Council, command over the officers, ratings and marines of Her Majesty's naval and marine forces; subject to the orders and directions of the Defence Council, they are charged with the administration of matters relating to the naval and marine forces.
5. The Defence (Transfer of Functions) Act 1964 empowers the Admiralty Board to discharge the statutory functions of the Defence Council, subject to any Directions of the Council. The effect of the above Directions is to confine this power, in the main, to statutory functions relating to the Royal Navy and Royal Marines. Certain prerogative functions under Orders in Council relating to the Royal Navy and Royal Marines were transferred to the Secretary of State who in practice is advised on such matters by the Admiralty Board. The Army and Air Force Boards have been empowered by Royal Warrant to exercise concurrently certain prerogative functions.
6. The regulations governing the administration of the Maritime Reserve – (which comprises the Royal Naval Reserve (RNR) and Royal Marines Reserve (RMR)) – and also the Royal Fleet Reserve (RFR), collectively known as the Reserve Naval and Marine forces are contained in BRd 3(2).

## J. ANNEX A

## LETTERS PATENT CONSTITUTING THE DEFENCE COUNCIL



**E**LIZABETH THE SECOND by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Our other Realms and Territories Queen Head of the Commonwealth Defender of the Faith To all to whom these Presents shall come Greeting Whereas We did by Our Letters Patent under the Great Seal of Our Realm bearing date the thirteenth day of December in the sixty-fifth year of Our Reign constitute and appoint the persons therein named to be Our Defence Council to exercise on Our behalf the functions of Our Prerogative as therein mentioned And Whereas We are desirous of changing the constitution of Our said Defence Council Now Therefore Know Ye that We do revoke with effect from the eleventh day of December in the sixty-sixth year of Our Reign Our Letters Patent bearing date the thirteenth day of December in the sixty-fifth year of Our Reign aforesaid And Further Know Ye that We do constitute and appoint as from the said eleventh day of December the following persons in place of those constituted and appointed by Our Letters Patent aforesaid that is to say Our Principal Secretary of State for Defence the Parliamentary Under Secretary of State and Minister for Defence Procurement the Minister of State for the Armed Forces the Minister of State in the House of Lords the Parliamentary Under Secretary of State and Minister for Defence People and Veterans the Chief of the Defence Staff the Permanent Under Secretary of State of the Ministry of Defence the Chief of the Naval Staff and First Sea Lord the Chief of the General Staff the Chief of the Air Staff the Vice Chief of the Defence Staff the Commander Joint Forces Command and the Director General Finance of the Ministry of Defence to be Our Defence Council to exercise on Our behalf the functions of Our Prerogative which have heretofore on Our behalf been exercised by Our Defence Council constituted and appointed by Our Letters Patent aforesaid and in particular to administer such matters pertaining to Our Naval Military and Air Forces as We shall through Our Principal Secretary of State for Defence direct them to execute And to have command under Us of all Officers and Ratings Soldiers and Airmen of Our Naval Military and Air Forces And Further Know Ye that Our Principal Secretary of State for Defence (or in his absence one of Our Ministers of State aforesaid) shall be Chairman of Our Defence Council so constituted and for the business of which he shall be responsible to Us and to Parliament And the said Permanent Under Secretary of State of the Ministry of Defence shall be the Secretary of Our Defence Council Provided that Our Defence Council may appoint such other person or persons to act as Secretary or Secretaries in addition to the said Permanent Under Secretary of State as Our Defence Council may think fit And We do empower and direct Our Defence Council to



establish an Admiralty Board an Army Board and an Air Force Board to be charged with the administration of such matters relating to Our Naval Military and Air Forces as Our Defence Council shall direct And to have command under Us and Our Defence Council of all Officers and Ratings Soldiers and Airmen whom Our Defence Council shall place under their command And We do grant Our Defence Council authority to give and dispose of all such Offices places and employments in Our Naval Military and Air Forces as shall become or be made vacant And We enjoin all such Officers and all others whom it may concern to be obedient to Our Defence Council and to the Boards established by Our Defence Council by virtue of these Presents in all things as becometh And Further Know Ye that the powers of Our Defence Council and of the Boards so appointed may be exercised and their duties performed by any two of their members and any document may be signed on behalf of Our Defence Council or of any of the said Boards by any two of their members or by the Secretary or person acting as Secretary of Our Defence Council or of that Board And We do further direct that the arrangements for the administration and government of Our Naval Military and Air Forces described in these Our Letters shall come into effect on the said eleventh day of December in the sixty-sixth year of Our Reign

BY WARRANT UNDER THE QUEEN'S SIGN MANUAL

HEATON



## ANNEX B

### DIRECTIONS OF THE DEFENCE COUNCIL AS TO THE ADMIRALTY BOARD

#### THE ADMIRALTY BOARD DIRECTIONS 2012

The Defence Council, in exercise of the powers conferred upon them by the Letters Patent of Her Majesty dated 29 November 2011 and by section 1(5) of the Defence (Transfer of Functions) Act 1964, give the following Directions:

#### Commencement, Citation, Revocation and Interpretation

1. (1) These Directions shall come into operation immediately and may be cited as “The Admiralty Board Directions 2012”.
- (2) The Admiralty Board Directions 2009 are revoked, without prejudice, however, to the validity of anything done by virtue of those Directions.
- (3) Any document referring to the Admiralty Board Directions 2009 or to any provision of them shall, so far as may be necessary for preserving its effect, be construed as referring to these Directions or, as the case may be, to the corresponding provision of them.
- (4) The Interpretation Act 1978 shall apply for the purpose of interpreting these Directions as it applies for the purpose of interpreting an Act of Parliament.

#### The Admiralty Board

2. (1) The Admiralty Board shall consist of the holders for the time being of the following offices:

The Secretary of State for Defence

The Minister of State for the Armed Forces

The Parliamentary Under Secretary of State and Minister for Defence Equipment Support and Technology

The Parliamentary Under Secretary of State and Minister for International Security Strategy

The Parliamentary Under Secretary of State for Defence and Minister for Defence Personnel, Welfare and Veterans

The Parliamentary Under Secretary of State and Lords Spokesman on Defence

The Chief of Naval Staff and First Sea Lord

The Second Permanent Under Secretary of State of the Ministry of Defence

The Fleet Commander

The Second Sea Lord

The Chief of Fleet Support

The Controller of the Navy

The Assistant Chief of Naval Staff

The Director of Resources Navy

(2) The Secretary of State for Defence shall be Chairman of the Admiralty Board; but in his absence the Minister of State for the Armed Forces, the Parliamentary Under Secretary of State and Minister for Defence Equipment, Support and Technology, the Parliamentary Under Secretary of State and Minister for International Security Strategy, the Parliamentary Under Secretary of State for Defence and Minister for Defence Personnel, Welfare and Veterans, the Parliamentary Under Secretary of State and Lords Spokesman on Defence or such other persons as the Secretary of State shall designate may act as Chairman.

(3) The Secretary of the Admiralty Board shall be the Second Permanent Under Secretary of State of the Ministry of Defence provided that the Admiralty Board may appoint such other person or persons to act as Secretary or Secretaries in addition to the Second Permanent Under Secretary of State of the Ministry of Defence as the Board may think fit.

### **Duties of the Admiralty Board**


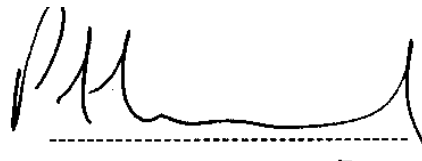
3. (1) The Admiralty Board shall under the Defence Council have command over the officers, ratings and marines of Her Majesty's naval and marine forces.

(2) The Admiralty Board is hereby charged with the administration of all such matters relating to the naval and marine forces as may be administered by the Defence Council; subject always, however, to any further orders or directions given by the Defence Council.

### **Directions as to Statutory Functions**

4. The functions under enactments conferred on the Defence Council by the operation of section 1 of the Defence (Transfer of Functions) Act 1964 which are to be exercisable by the Admiralty Board shall, subject to any further directions which may be given by the Defence Council, not include functions which were before the coming into effect of the Act not exercisable by the Admiralty.

*Dated this 2nd day of April 2012*

### Instructions for Use

J.1. The letter 'J' preceding a paragraph number [Article number in QRRN] indicates that the paragraph [Article] (apart from the number and from necessary differences in relation to ranks, cross-references, etc.) is published in identical form normally in *Queen's Regulations*, for each of the three Services. In the case of the Royal Navy and the Army, certain of these paragraphs appear not in *Queen's Regulations* but in other specialised regulations, and appropriate references are made in *Queen's Regulations for the Royal Navy*, and *Queen's Regulations for the Army* to these other publications. The text of the 'J' paragraphs [Articles] may not be amended without inter-Service agreement.

2. Amendments to QRRN are published as a matter of routine business and a change is not issued until there is sufficient material to warrant action. Amendments requiring more immediate promulgation should initially be issued as a Royal Navy Temporary Memorandum which should be retained until the next update.

3. Amendments should be submitted where possible electronically by email to Navy Legal-Complaints Support E1.

4. Unless the contrary intention appears, words importing the masculine gender include the feminine.

5. Any errors, or queries on the contents of this publication should be referred to the sponsor of the relevant chapter, shown in the chapter heading, for onward transmission by the sponsor to NAVY LEGAL-COMPLAINTS SUPPORT E1, MAILPOINT 4-2, LEACH BUILDING, WHALE ISLAND, PORTSMOUTH, PO2 8BY, (023 9262 5498), if necessary.

6. Chapter sponsors are reminded that they are responsible for their chapters and thus the contents therein until such time as it is agreed that sponsorship should be assumed by another branch. Any transfer of sponsorship to another branch or organisation must be agreed between the two parties concerned and notified to NAVY LEGAL-COMPLAINTS SUPPORT E1, as soon as possible.



## Explanation of Terms


In these regulations and instructions, the following terms shall have the meanings given unless the context clearly indicates otherwise.

**Ministry of Defence: Defence Council: Admiralty Board.** These terms are to be distinguished as follows. Functions of the former Admiralty resting on statute and Letters Patent were transferred from 1st April 1964, either to the Secretary of State or to the Defence Council. The Defence Council has by Direction delegated the administration of the naval forces to the Admiralty Board. Orders and instructions to those forces (including those in this book) are issued on the authority of the Defence Council. The references to the 'Ministry of Defence' or to departments of the Ministry charged with naval matters, which for convenience frequently occur in this book, are to be read in the light of this explanation.

**Superior Authority.** The officer under whose immediate orders a Flag or other officer may be placed or is serving at the time. If the Flag or other officer is acting under Ministry of Defence orders and is not in the presence of a senior officer, it shall mean the Ministry of Defence.

### Entitlement to command

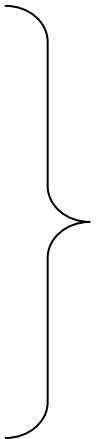
*Command*  
*Military command*  
*Sea command*  
*Special command*



See Chapter 3, Section III

### Degrees of command and administration

*Full command*  
*Operational command*  
*Operational control*  
*Tactical control command*  
*Operational chain of command*  
*Officer in tactical command*  
*Administration*  
*Administrative control*  
*Administrative chain of command*  
*Local administration*  
*Administrative authority*



See Chapter 3, Section VII

**Flag Officer.** An officer of the rank of Rear-Admiral or above exercising command and authorized by the Ministry of Defence to fly a flag.

**Officer of Flag rank.** An officer of Rear-Admiral's rank or above.

**Commander-in-Chief.** An officer appointed to the chief command of a station, fleet or squadron; and, in general routine duties, the officer in command of a station or squadron or on whom such command may have devolved.

**Commodore.** See 0323.

**The Captain.** The officer appointed to command the ship.

**The Commanding Officer.** The officer or other person on board and in actual command at the moment (except for the purposes of the *Armed Forces Act 2006*—see **0336**).

**The Executive Officer.** The officer carrying out the executive duties of the ship.

**The Marine Engineer Officer.** The officer in charge of the Marine Engineering Department in a ship or establishment.

**The Weapon Engineer Officer.** The officer in charge of the Weapon Engineering Department in a ship or establishment.

**The Commander (Air).** The officer in charge of the Air Department of a ship, if of the rank of Commander.

**The Air Engineer Officer.** The officer in charge of the Air Engineering Department of a ship or establishment.

**The Logistics Officer.** The officer in charge of the Logistics department of a ship or establishment.

**The Medical Officer.** The officer in charge of the medical duties of a ship or establishment.

**The Dental Officer.** The officer in charge of the dental duties of a ship or establishment.

**The Training Management Officer.** The officer in charge of the education of officers and men to meet the requirements both of Service training and of the individual for advancement or other purposes.

**The (HM) Officer.** The officer who is accountable to the Commanding Officer for the delivery of hydrographic, meteorological and oceanographic advice including tactical exploitation of the environment.

**The Officer Commanding Royal Marines.** The officer in charge or command of the Royal Marines detachment or special parties embarked in the ship.

**Officer.** In relation to any of HM Naval Forces a person of or above the rank of cadet, and in relation to any other forces an officer of corresponding rank or any superior rank, except where the term ‘superior officer’ is used.

**Superior Officer.** For the purpose of the Armed Forces Act 2006, see section 374 of the Act and JSP 830, Manual of Service Law, an officer, or a rating not below the rate of Leading Seaman, or a non-commissioned officer not below the rank of Corporal who is a higher rank or rate, or senior in the same rank or rate, and who is subject to the Act.

**Subordinate Officer.** An Acting Sub-Lieutenant, Midshipman or cadet, or a Second Lieutenant, RM.

**Senior Upper Yardman.** A rating candidate for officer rank over the age of 26 but under the age of 46.

**Senior Corps Commission.** An RM or RM Band Service other rank candidate for officer rank over the age of 26 but under the age of 46

**Initial Commission (IC).** The commission in which all entrants to the officer corps join from 1 April 1999, whether recruits from civilian life or from the rating corps/ranks.

**Career Commission (CC).** The Commission to which officers on the IC may transfer. It extends a commission to 16 years' service from the age of 21, or date of joining if later.

**Full Term Commission (FTC).** The commission to which officers on the CC may transfer. It extends a career to retirement age.

**Officers and ratings.** Except where the context requires otherwise, the term 'officers and ratings' in these regulations is to be read as including all officers, Warrant Officers, Chief Petty Officers, Petty Officers and non-commissioned officers, ratings and other ranks of the Royal Navy, Royal Marines, Queen Alexandra's Royal Naval Nursing Service. .

**Warrant Officers.** The highest rate in the rating structure of the RN.

**Petty Officers.** To include Chief Petty Officers and Petty Officers and ratings of equivalent status in all branches, except when used as the title of seaman ratings.

**Non-Commissioned Officer, Royal Marines.** To include all Royal Marines from Lance-Corporal up to Warrant Officer 1st Class, inclusive.

**Commonwealth.** The British Commonwealth of Nations, which includes both members of the Commonwealth (i.e., the fully self-governing countries) and the colonies and other dependent territories administered by Commonwealth governments. The expression 'other Commonwealth countries' is used to denote the fully self-governing members of the Commonwealth other than the United Kingdom.

**Her Majesty's ship.** The title of Her Majesty's ship (HMS) is confined strictly to commissioned ships flying the White Ensign and is not applicable to fleet auxiliaries.

**Flagship.** A ship flying the flag of a Flag Officer or the broad pennant of a Commodore.

**Tender.** A ship or vessel whose officers and men are appointed or drafted to and borne on the books of another ship being a parent ship.

**Independent command.** A ship whose officers and men are appointed or drafted direct to her and borne on her books, irrespective of where her accounts are carried.

**Royal Fleet Auxiliary.** A fleet auxiliary vessel manned by a mercantile crew, owned (or operated on long-term charter) and managed by the Ministry of Defence (Navy) for the purposes of the naval service.

**Mercantile Fleet Auxiliary.** A vessel, manned with a mercantile crew, under commercial management, chartered or requisitioned by the Department of the Environment for operation by the Ministry of Defence (Navy).

**Ships (or vessels) in the naval service.** All ships and vessels—formerly known as 'Admiralty vessels'—owned or operated by the Ministry of Defence (Navy), for naval and fleet (or port) auxiliary purposes which are not commissioned as Her Majesty's ships.

**Naval establishment.** Any establishment under the control of the Secretary of State and maintained for any purpose of the naval service, whether within or without Her Majesty's dominions.

**Fleet establishment.** Any naval establishment manned by the Royal Navy, Royal Marines, or by civilians engaged for Fleet services.

**Civil establishment.** Any naval establishment manned on a civilian basis, e.g., dockyards, victualling yards, naval armament depots, etc.

**Medical establishment.** Naval hospital or sick quarters.

**Hospital.** Military hospital, hospital ship or sick quarters.

**By telegram.** Embraces all means of rapid communication, except in cases where it is specially desired to indicate a particular form of rapid communication (such as 'by radio', or 'by cable').

**A month.** For all purposes connected with pay and time, except as shown below, or as otherwise provided by statute, the following scale is to be observed whenever the words 'month' or 'months' are used:

- 1 month shall be equal to 30 days and vice versa.
- 2 months shall be equal to 61 days and vice versa.
- 3 months shall be equal to 91 days and vice versa.
- 4 months shall be equal to 121 days and vice versa.
- 5 months shall be equal to 152 days and vice versa.
- 6 months shall be equal to 182 days and vice versa.
- 7 months shall be equal to 212 days and vice versa.
- 8 months shall be equal to 243 days and vice versa.
- 9 months shall be equal to 273 days and vice versa.
- 10 months shall be equal to 303 days and vice versa.
- 11 months shall be equal to 334 days and vice versa.

**Exceptions.** Reckoning by the calendar is to be applied in the following matters:

- a. Assessing the seniority of officers.
- b. Qualifying service for advancement in rating.
- c. Date of restoration of good conduct badges.
- d. Where specifically so directed in JSP 754, Tri-service Regulations for Pay and Charges.

**A year.** Twelve months or one year shall be reckoned by the calendar for all purposes, except for the calculation of 'service' and 'service in a ship-of-war at sea' necessary to determine the eligibility for promotion of officers of certain ranks, which will continue to be calculated at the rate of 365 days to a year. (See Chapter 87.)

- i. Care is to be taken in reckoning service by the calendar to allow for time lost as the result of punishment, (e.g., cells, detention, etc.) or absence from the Service, by adding the number of days lost to date as indicated by the calendar. When, however, a period exceeding one year is involved the year (or years) is to be reckoned by the calendar and the number of additional days added thereto.
- ii. Where a period of twelve months or one year begins on the last day of February of any year, whether that date be the 28th or 29th of the month, the successive years reckoned by the calendar shall be deemed to end on the day preceding the last day of February, i.e., on the 27th (or on the 28th if a leap year) and, similarly, where the period of calculation begins on the first day of March of any year, the successive years reckoned by the calendar shall be deemed to end on the last day of February, i.e., on the 28th (or on the 29th if a leap year).

iii. Where a period of service ends within a leap year the 29th February should be included for pension and gratuity purposes only, provided:

- (a) The period of service is less than a year ending within a leap year;
- (b) 29th February comes within the total number of days outside the full calendar year.

**Yearly.** On 31st December of each year.

**Half-yearly.** On 30th June and 31st December.

**Quarterly.** On 31st March 30th June, 30th September and 31st December, or by the quarters ending on those dates. Exceptionally, quarterly reports on officers (see BR 8373 *Officers' Career Regulations*) are to be rendered at intervals of three months from the effective date of the Ministry of Defence instruction.

#### **DEFINITIONS OF TERMS TO BE USED IN CONNECTION WITH THE SAFE CONDUCT OF HM SHIPS AT SEA (see 0809)**

**Conduct.** The direction of a team or management of a series of tasks in the performance of a function, e.g., conduct of the ship, conduct of navigation, conduct of operations. Conduct includes planning and may include execution.

**Charge of the ship.** The authority delegated by the Commanding Officer or the officer to whom command or conduct has been delegated, to the Officer of the Watch (OOW) for the safety of the ship at sea.

**Navigation.** The process of planning and executing the movement of ships from one place to another. Navigation includes ocean and coastal movements and pilotage, giving due consideration to problems of ship handling and collision avoidance.

**Pilotage.** Navigation involving frequent or continuous determination of position or a line of position relative to geographic points, and usually requiring the need for close attention to the vessel's draught with respect to the depth of water. It is practised in the vicinity of land, dangers, and navigational hazards.

**Control.** The action of a functional superior in issuing instruction and guidance in a clearly defined professional field.

**Planning.** The predetermination of actions involving people and resources as an integral part of conduct.

**Execution.** The act of putting into effect (the navigation plan, Captain's orders etc).

**Conning.** The act of giving wheel, hydroplane or engine orders.

**Advising.** The act of providing information to assist the recipient in making a decision.

## CHAPTER 1

### COMPOSITION OF THE NAVAL SERVICE AND JURISDICTION OF QRRN

*(MOD Sponsor: DNS)*

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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## **CHAPTER 1**

### **COMPOSITION OF THE NAVAL SERVICE AND JURISDICTION OF QRRN**

#### **SECTION I - COMPOSITION OF THE NAVAL SERVICE**

##### **0101. Composition of the Naval Service**

1. The Royal Navy is comprised of the General Service and Submarine Service, the Fleet Air Arm, the Royal Marines, the Maritime Reserves, the Royal Fleet Auxiliary, and the Naval Careers Service. The Queen Alexandra's Royal Naval Nursing Service (QARNNS) officers and ratings also form part of the Royal Navy. The Royal Navy is governed by the Admiralty Board of the Defence Council.

##### **0102. Spare**

##### **0103. Spare**

##### **0104. Reserve Forces**

1. The Reserve Naval and Marine forces comprise the Maritime Reserve (Royal Naval Reserve (RNR) and Royal Marines Reserve (RMR) and members of the Royal Fleet Reserve all of whom are subject to the Reserve Forces Act 1996 (RFA 96)). The Recall Reserve, whilst not a discrete Force recognised by RFA 96, remains available for call-out in certain circumstances. In addition Sponsored Reserves serve as Reservists subject to elements of the RFA. The Reserve Forces are governed by the Defence Council.

##### **0105. The Royal Fleet Auxiliary (RFA)**

1. The Royal Fleet Auxiliary Service (RFA) is a uniformed Merchant Marine Service accountable to the Admiralty Board through the Fleet Commander.

##### **0106. University Royal Naval Units**

1. The University Royal Naval Units (URNUs) are independent units established to broaden naval understanding and develop students. Flag Officer Sea Training is responsible for the URNUs.

**0107. The Royal Corps of Naval Constructors (RCNC)**

1. The RCNC is a civilian corps and an integrated part of the Defence Engineering corps, with its members wearing uniform in certain posts. It comprises at present naval architects, electrical and mechanical engineers in the employment of the Ministry of Defence, who undertake duties concerned with the design, procurement and upkeep of HM ships and the machinery, equipment and systems fitted in them. The Controller of the Navy is responsible for representing RCNC interests to the Admiralty Board.

**0108. The Navy, Army and Air Force Institute (NAAFI) Canteen Service**

1. Members of the NAAFI Canteen service are employed in a civilian capacity in HM ships. In times of hostilities, NAAFI canteen staff remaining in HM ships and establishments are entered on naval engagements. The Second Sea Lord is responsible to the Admiralty Board for canteen service matters.

**0109. Spare****0110. Naval Party**

1. A Naval Party is a special unit establishment for a body of service personnel needed to meet a requirement in response to approved defence commitments, international obligation or particular defence need. A naval party should only be formed where it is not possible for the personnel to be included on the Unit Establishment List (UEL) of a ship or establishment.

**0111. Naval Careers Service (NCS)**

1. The NCS is a Special Service that constitutes one of the five main groupings of the Naval Service. It is to be composed of ex-Regular Service, Royal Fleet Reserve (RFR) RN and RM personnel. All members of the NCS are subject to the Armed Forces Act 2006 (AFA06) at all times.

2. The Captain of Naval Recruiting (CNR), in his/her capacity as a Competent Naval Authority, is authorised to recruit RFR, RN and RM WOs and Senior Rates/Senior NCOs into the NCS as Careers Advisers (CAs) and to advance suitably qualified and selected CAs from CA3 to CA2 to CA1.

**0112–0120. Unallocated**



## **SECTION II - JURISDICTION OF QRRN**

### **0121. Royal Navy and Queen Alexandra's Royal Naval Nursing Service**

1. Officers on the Active list and ratings of the RN and QARNNS are subject to the jurisdiction of QRRN at all times.

### **0122. Royal Marines**

1. QRRN applies to all ranks of the Royal Marines at all times, whenever they are borne on the books of any of HM ships or naval units. QRRN may be supplemented by instructions contained in BRd 1283, Royal Marines' Instructions.

### **0123. Reserve Forces**

1. Officers and ratings of any of the reserve forces mentioned in **0104** are subject to the jurisdiction of QRRN while being exercised, trained or undertaking duties as a member of that force, or when called out or volunteering for permanent or full time service, from the time appointed to report or attend for such purposes until released, discharged or their voluntary commitment to full time service ends. Members of the RFR (on the Retired List or Emergency List) are subject to the jurisdiction of QRRN from the time appointed for them to report or attend any duty or service for which they are liable, until released from that duty or service, or discharged. In addition members of the Reserve Forces are subject to BRd 3(2), Naval Personnel Management – Reserves.

### **0124. University Reserve Naval Units**

1. For Discipline purposes members of the URNU are designated as 'civilians subject to Service discipline' under the Armed Forces Act 2006 (AFA 06), when borne in one of HM Warships. Members of the URNU are subject to BRd 3(2), Naval Personnel Management – Reserves.

### **0125. Civilians**

1. Those civilian services or corps listed in paragraphs **0105**, **0107** and **0108** are not, in normal circumstances, subject to the jurisdiction of QRRN. They are however governed by the various civilian staff regulations concerning their civilian employment; which may require the maintenance of standards compatible with QRRN. Civilians may be subject to service discipline under some circumstances. See JSP 830, Manual of Service Law chapter 3.

**ANNEX 1A****ADMINISTRATION ORDER FOR A NAVAL PARTY**

This Annex has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

**General.** Description of Naval Party and its main task.

**Admin/Logistic Support.** Who is responsible for provision of logistic support? What UIN is to be used for accounting purposes?

**Personal Admin/Documentation.** How long will personnel be appointed/drafted to the Naval Party? Where are pay and service documents held? What personal documentation is required, e.g., passport, ID discs, B/MED/27, UK driver's licence etc.

**Pay and Allowances.** Details of allowances due, refund of Council Tax etc. LOA, UN allowances, separation pay/LSA etc.

**Casualty Reporting Procedure.** Chain of Command to be employed in case of casualty. NOK cards to be in date. Arrangements for CasEvac, DILFOR. Do individuals have a will?

**Discipline.** Who has delegated powers of punishment? Where can legal advice be obtained?

**Compassionate Leave.** When it is to be granted? Who is to authorise it?

**Leave.** What is the leave entitlement, (to include information on warrants)?

**Confidential Reports.** Officers/Ratings (including RM) procedure to be established. Where reports should be directed.

**Medical/Dental.** To include details of immunisations required and advice about disease/illness prevention. Advice for personnel who wear spectacles, contact lenses. Where med/dent documentation is to be retained. All personnel to be dentally fit.

**Postal Arrangements.** Postal address to be used by Naval Party.

**Command and Signal Arrangements.** SMA to be used; fax and telephone numbers.

**Kit Issue>Returns.** Where to obtain and return kit, if specialised.

**Pre-Deployment Briefings.** Who is responsible for organising and where?

**Travel to Theatre.** Flight details/travel. Amount of accompanied baggage.

**Enclosure 1.** Clothing and Kit List (if required).

## CHAPTER 2

### GOVERNMENT, HIGHER COMMAND AND ORGANISATION

*(MOD Sponsor: Head of Naval Staff)*

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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## CHAPTER 2

### GOVERNMENT, HIGHER COMMAND AND ORGANISATION

#### J.0201. Government and Command of the Services

1. The government and command of each of the fighting forces is vested in Her Majesty The Queen, who has charged the Secretary of State for Defence (SofS) with the general responsibility for the Defence of the Realm and established a Defence Council having command and administration over Her Armed Forces.

#### 0202. Ministers, Principal Advisers and Top Structure of Defence

1. **Ministers:** SofS is ultimately responsible to Parliament for all Defence matters and is supported by four Defence Ministers: Minister of State of the Armed Forces; Minister for Defence Procurement; Minister for Defence Veterans, Reserves and Personnel; and Minister of State in the House of Lords.

2. **Principal Advisers:** Advising and supporting Ministers are two Principal Advisers; the Chief of Defence Staff (CDS) and the Permanent Under Secretary of State (PUS). CDS and PUS share responsibility for delivering much of Defence business and their roles reflect the importance of both military and civilian advice on political, financial, administrative and operational matters. CDS is also the professional head of the Armed Forces and the principal military adviser to SofS and the Government. PUS is the professional head of the Civil Service in Defence and is the Government's principal civilian adviser on Defence and has the primary responsibility for policy, finance, management and administration and is the Departmental Accounting Officer.

3. **Defence Council:** The Defence Council provides the formal legal basis for the conduct of Defence in the UK through a range of powers vested in it by Parliament (through statute) and Her Majesty the Queen (through Letters Patent and known as prerogative powers). For matters concerning the individual Services, it delegates its powers to the Service Boards. The Defence Council is chaired by SofS and comprises the other Defence Ministers, CDS, PUS, Vice Chief of Defence Staff (VCDS), , single Service Chiefs of Staff, Chief Scientific Adviser, Chief of Defence Materiel and Director General Finance.

4. **Defence Board:** The Defence Board is the senior body driving change and delivery and is responsible for the strategic leadership of Defence. Chaired by SofS, its membership comprises: Minister (Armed Forces); CDS; PUS; Chief of Defence Materiel; Director General Finance and two Non-Executive Directors. Its principal function is to make the high level decisions necessary to ensure that Defence delivers its final outputs and provides strategic direction and manages performance. The Board has collective responsibility for the management of all aspects of the Department and the Armed Forces and for the planning and performance of Defence, with the exception of planning for, and conduct of, military operations. Its remit includes Defence policy and strategy, major investment decisions, resource planning and prioritisation, setting and managing performance against Defence Strategic Objectives, and assurance.

5. **Command and Management Structure.** Below the level of the Defence Board, the command and management structure of Defence comprises:

6. **Head Office:** Head Office, is responsible for: the Defence contribution to the development of the Government's foreign policy and wider Government objectives; supporting Ministers and PUS in discharging their Parliamentary accountabilities; making policy and setting strategy; planning, setting objectives and targets and allocating resources in the Defence Plan; and managing the performance of those with responsibility for delivering against it; and giving strategic direction to military operations. . The Head Office is structured into a number of main business areas led at 3-star and 2-star level. Some posts straddle or operate independently in the Head Office, such as the Surgeon General, Director Media and Communication and Chief Information Officer.

7. **Top Level Budget (TLB) Holders:** TLB holders, Process Owners and Senior Responsible Owners (SROs) of major capability or business change programmes, who are responsible for delivering against objectives and targets set in the Defence Plan.

8. **Financial Structure:** The financial structure of Defence comprises the seven TLB holders (Navy Command, Land Forces, Air Command, Chief of Joint Operations (to transfer to Joint Forces Command), Central TLB, Defence Equipment and Support and Defence Infrastructure Organisation) among who the operating costs of Defence are allocated, and who receive from PUS delegated authorities in a range of areas including finance, personnel and commercial. There are also Trading Fund Agencies, which are outside of the TLB structure and are self-financing through the sale of goods and services to Defence and other customers.

9. **Professional Structure.** The military professional structure is embodied in the three single Services (the Royal Navy, Army and Royal Air Force), which exist as distinct organisations within Defence. CDS is the professional head of the Armed forces across Defence and the single Service Chiefs of Staff (COS) are the professional heads of their respective Services. The COS are all TLB holders in their own right, but have separate, wider responsibilities for maintaining the professional standards, the fighting effectiveness, management, overall efficiency and morale of their respective Services.

### **0203. The Naval Service**

1. Within the Naval Service the First Sea Lord and Chief of the Naval Staff directs the work of the Naval Service in accordance with policy directives and budgets for the main areas of expenditure, determined centrally in consultation with the Naval Staff and Board Members' staffs. The First Sea Lord and Chief of the Naval Staff is Chairman of the Executive Committee of the Admiralty Board (known as the Navy Board), the membership of which consists of 2SL (and Deputy Chief of the Naval Staff), Fleet Commander, Assistant Chief of the Naval Staff (Policy)(ACNS Pol), and four Non-Executive Directors, serving in an advisory capacity. The Service Members of the Admiralty and Navy Boards have responsibilities for the management and conduct of their respective areas of activity.

**0204. First Sea Lord/Chief of the Naval Staff**

1. The First Sea Lord is responsible and accountable for:
  - a. the fighting effectiveness, efficiency and morale of the Royal Navy, Royal Marines and Royal Fleet Auxiliary including the Reserves;
  - b. advising the Chief of the Defence Staff on maritime aspects of all operations, strategy and policy; and,
  - c. resource allocation and budgetary planning in the light of defence policy and naval priorities.

**0205. Second Sea Lord and Deputy Chief of the Naval Staff**

1. The Second Sea Lord (2SL) leads Navy Command HQ and is responsible for ensuring that sufficient motivated uniformed manpower, trained to the required standard, is available; and for the Development and Delivery of future and current capability. As Deputy Chief of Naval Staff, 2SL also supports 1SL in the delivery of his Intent, the Navy Board Headmark, and Future Navy.

**0206. Fleet Commander**

1. Responsible for the Generate and Operate functions, the Fleet Commander exercises Full Command (delegated by 1SL) of all Fleet Units, Battlestaffs, the Royal Fleet Auxiliary, Fleet Air Arm (including aviation Force Elements) and the Royal Marines, with the aim of ensuring the generation of RN units for task in accordance with the Command Plan, and for the operational effectiveness and efficiency of the RN.

**0207. Finance Director (Navy)**

1. Finance Director (Navy) is the Senior Finance Officer and Civilian Workforce Advisor to 1SL. FD(Navy) is also responsible for the conduct of Ministerial and Parliamentary business.

**0208. The Assistant Chief of the Naval Staff (Policy)**

1. ACNS(Pol) is 1SL's agent in the MoD, Whitehall and London supporting national strategy and policy development; and is also responsible for the Naval Staff within MOD MB, Regional Forces, Media & Communications, and for the RN's engagement with international partners.

## CHAPTER 3

### RANK AND COMMAND

(MOD Sponsor: NAVY PEOPLE-TRG-HQ N9 EXEC FXO)

This chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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## CHAPTER 3

### RANK AND COMMAND

#### SECTION I – RELATIVE RANK

##### 0301. Classification and Relative Rank of Officers

1. The officers of Her Majesty's Navy and Royal Marines are classified and rank with each other as shown in the tables in Section VI. The order in which officers shown take command is dealt with in Section III of this chapter.
2. The Captains of Her Majesty's ships take rank and precedence over all officers placed under their command on all occasions, whether afloat or on shore.
3. The method of determining the relative rank and precedence of officers from Tables 3-1 – 3 - 4 is:
  - a. Officers included in each numbered horizontal group rank with each other according to seniority as shown in the Navy List.
  - b. When officers in the same table are in the same numbered group but in different vertical columns and have identical seniority, their relative rank follows the alphabetical sequence of columns.
  - c. When officers in the same numbered group and of identical seniority are in different tables, they rank in the following order:
    - (1) Officers shown in Table 3-1 and 2
    - (2) Officers of the Royal Naval Reserve List 1 (See Table 3-4)
    - (3) Officers of the Royal Naval Reserve Lists 2 to 7 (See Table 3-4)
    - (4) Officers of the Royal Marines Reserve (see also 0373)
  - d. When officers of the following categories are otherwise of identical seniority, after account has been taken of c, they rank in the following order:
    - (1) Permanent officers on the Active List
    - (2) Officers on the Active List entered as temporary or for short service
    - (3) Officers on the Retired List
    - (4). Officers on the Emergency List
  - e. The relative rank of Reserve Officers depends also on whether or not they are 'qualified officers' as described in **0342**. Reserve officers corresponding to the four main specializations of the RN bear the same titles but are divided into Branches as shown in Table 3-4.
4. Table 3-1 applies to Royal Marines officers. Officers of the Royal Marines Reserve bear the same titles as officers of the Royal Marines.
5. The proper method of describing officers in official and other correspondence and for social purposes is shown in JSP 441.

### 0302. Commissions

1. Commissions are issued only on appointment or promotion to the ranks marked with an asterisk in Tables 3–1 to 3–4, and on appointment as Chaplain and Chaplain of the Fleet.

### 0303. Medical and Dental Officers

1. The relative ranks of Medical and Dental Officers are given in Table 3–2; and for Royal Naval Reserve in Table 3–4.

### 0304. Chaplains

1. Chaplains are commissioned, and hold the rank of Chaplain, Royal Navy, or Principal Chaplain, Royal Navy. The status of Chaplains for payment of allowances is given in JSP 754 Tri Service Regulations for Pay and Charges.

2. Three Principal Denominational Chaplains are responsible for the ecclesiastical aspects of Naval Chaplaincy: Anglican, Roman Catholic and Church of Scotland and Free Churches. These offices will normally be held by the Chaplain of the Fleet, Deputy Chaplain of the Fleet (unless of the same denomination) and other senior Chaplains and are appointed by the relevant denominational Church or group of Churches.

### 0305. Retired Officers

1. **When Serving.** When officers from the Retired List or Emergency List are recalled to active duty, any steps in rank (other than honorary or war service rank given on or after retirement) will confer the right to the title, uniform and other advantages of the higher rank, subject to the provisions of **0342**, relating to command and of JSP 830, Manual of Service Law in relation to sitting on the Court Martial or Summary Appeal Court.

2. If retired officers are re-employed in a rank below that which they hold on the Retired List they are to rank according to the date on which they reached the rank in which they are being employed. See **0342.3** and **.4** on acting rank.

3. **When not Serving.** The relative rank and precedence of officers on the Retired List and Emergency List are determined in accordance with **0301.3**. Those holding honorary or war service rank take rank and precedence after officers holding the corresponding substantive rank and before officers holding a lower rank; in relation to each other and to officers holding acting or temporary rank they take rank and precedence according to their seniority in substantive rank.

### 0306. Foreign Commonwealth Naval Forces

1. Officers of Foreign and Commonwealth naval forces have status and entitlement to command as governed by the NATO SOFA Agreement and various Visiting Forces Acts. Details and instructions are contained in JSP 830 Chapter 3.

### 0307. Queen Alexandra's Royal Naval Nursing Service

1. **Queen Alexandra's Royal Naval Nursing Service.** QARNNS officers rank with each other according to rank and seniority. They rank with, but after, officers of equivalent rank in the Royal Navy and the Royal Marines.

2. **Queen Alexandra's Royal Naval Nursing Service Reserve.** QARNNS Reserve officers rank after QARNNS officers. In relation to each other they take rank according to their seniorities. They rank with, but after, officers of equivalent rank in the RN and RM Reserves.

### **0308. Precedence on Ceremonial Occasions**

1. On occasions of ceremony officers are normally to be introduced in the following order:

- a. The Captain.
- b. The Executive Officer.
- c. The remaining officers in order of relative rank.

### **0309. Active List**

1. The Active List comprises all serving officers whose names appear in the personnel administration system held by or on behalf of the Naval Services.

2. Officers are serving officers if they are on a current commission and have not been placed on the Retired, Emergency or Reserve Lists.

### **0310–0320. Unallocated**

## **SECTION II - OFFICERS OF FLAG RANK AND COMMODORES**

### **0321. Flag Officers**

1. Except as provided in Clause 2 and in **0324**, an officer of Flag rank is to hoist their flag only in pursuance of orders from the Ministry of Defence.

2. Should a Vice Admiral or a Rear Admiral, flying their flag as such by Ministry appointment, receive official notification of their promotion, they are at once to alter their flag to that of an Admiral or Vice Admiral, as the case may be.

### **0322. Promotion to Flag Rank**

1. A Commodore or Captain who receives, while holding an appointment, official notification from the Ministry of Defence of their promotion to Flag rank is, in the absence of special directions from the Ministry, to continue in their appointment as a Commodore until relieved by their successor; *see also 0335.4*. This procedure is to be followed even when the officer promoted is themselves the senior officer.

2. No officer promoted to Flag rank, while retained in temporary command, is to hoist their flag or assume any rank or command beyond that which they held before their promotion.

### **0323. Spare**

### **0324. Single Service Commanders**

1. With regard to the instructions in this chapter, the term Commander is to be taken to include 1SL and CNS, and subordinate commanders as directed.
2. A Flag Officer or Commodore who is appointed Commander, or in command, of a fleet or station is to assume their new status when they have relieved their predecessor and taken over their duties.
3. If the flag of a Commander on foreign service is struck owing to their death or sickness, or should circumstances arise in which they are compelled to quit their command before a successor arrives and there is no second-in-command appointed by the Ministry of Defence, the officer on whom the command may devolve is to assume the responsibilities of the Commander. If this officer is a Flag Officer they are to assume the title of the respective Command, but if they are a Commodore or Captain they are to take the title of 'Commodore Commanding', a Captain also taking the rank of Commodore. They are to hoist their flag or broad pennant accordingly. In similar circumstances, on a station commanded by a Commodore, the officer on whom the command devolves is to take the rank of Commodore and the appropriate title and is to hoist their broad pennant. This clause is not to apply when a Commander or other officer in command of a fleet or station goes beyond the limits of their station or quits their command temporarily, unless they consider it necessary to instruct an officer to assume temporarily command of the fleet or station.
4. On the day when a Flag Officer relinquishes their command, their flag is to be lowered during the handover and the flag of their successor is to be hoisted on completion of the handover.
5. If a Commander, Flag Officer, or other officer, in independent command, should die or give up their command, the Chief of Staff or Chief Staff Officers are to continue in their appointments under the officer on whom the command may devolve, but should one of these officers themselves succeed to the command, and consequently hoist their flag or broad pennant, they may appoint such officer as they may think proper, not below the rank of Captain, to act in their place until an appointment is made by the Ministry of Defence.

### **0325. Flags and Broad Pennants**

1. Flag Officers may shift with their flags to any other ship, as they may deem proper for the good of the Service.
2. When authorized to fly a broad pennant, a Commodore is to do so only in the ship to which they have been appointed by the Ministry of Defence, or in her tenders and boats, except in the circumstances provided for in **0326**.
3. The flags of both officers are to remain flying during the day on which a Flag Officer transfers the command to their successor.
4. If a Flag Officer or Commodore, not holding an independent command, is temporarily absent from their flagship on duty, their flag or broad pennant is to remain flying, unless the Commander considers it necessary to delegate the officer's duties. If they are so delegated, then the flag or broad pennant is to be struck.

5. Whenever a Flag Officer or Commodore, either at home or abroad, proceeds on sick leave or goes into hospital or sick quarters or, at home, proceeds on leave for more than 48 hours, their flag or broad pennant is immediately to be struck.
6. The procedure on the death of a Flag Officer or Commodore is given in **9111**, but if they die in action their flag or broad pennant is to remain flying close up until the enemy is no longer in sight.
7. If during an action a Flag Officer or Commodore removes to another ship or if they remove into the senior officer's ship to take over the chief command on the death or disablement of the senior officer, their flag or broad pennant is to remain flying on board the ship they have left until the enemy is no longer in sight.
8. The position at which a flag or broad pennant should be flown is specified in **9106**; see *also* **9110**, Flags and pendants displaced. Regulations for the flying of flags and broad pennants in boats, aircraft and cars are given in Chapter 91, Section III.

#### **0326. Senior Officer Proceeding to Another Ship**

1. When it is absolutely necessary for the senior officer of two or more ships, not being a Flag Officer, to be absent from their own ship and to go on board another ship under their orders for the better conducting of any important service, they are to direct the officer commanding the ship to bear them additional as lent for particular service; while so borne they are to have the same command and authority in every respect as they would have had if present in their own ship, and, if a Commodore, is to hoist their broad pennant.
2. The procedure in Clause 1 should also be followed in the event of the ship commanded by the senior officer being wrecked or lost.

#### **0327–0330. Unallocated**

### **SECTION III – ENTITLEMENT TO COMMAND**

#### **0331. Definitions**

1. **Command.** The authority vested in an individual of the armed forces for the direction, co-ordination, and control of military forces. (AJP-3, Allied Joint Doctrine for the Conduct of Operations: 1.67)

#### **Interpretation:**

- a. Conduct of military operations (see Chapter 3, Section VII).
- b. All officers and ratings or other ranks of the Royal Marines exercise authority over their subordinates by virtue of their relative rank and seniority, regardless of branch, in the maintenance of good order and discipline, and in any normal activity, work or undertaking.

## BRd 2

2. **Military Command.** The authority to exercise command of non-sea-going ships, naval shore establishments, aircraft and boats. It also includes the authority set out in Clause
3. **Sea Command.** The authority to exercise command of sea-going ships of the Royal Navy. It also includes the authority set out in Clauses 1 and 2.
4. **Special Command.** The authority for an officer or rating or other rank Royal Marines to give lawful orders to their equals or superiors, in accordance with **0334** by virtue of their special office, duties, skill, ability or experience.

### 0332. Military Command

1. Military command is vested in the following:
  - a. Officers of the Royal Navy and Royal Marines (except the RM Band Service).
  - b. Officers of the Maritime Reserve
2. Military command may be conferred on other officers and on ratings or other ranks of the Royal Marines by appointment or by direction of a superior officer who is himself entitled by right to exercise military command.
3. Officers entitled to exercise military command are not necessarily qualified by training and duties to perform all the functions mentioned in the definition and this should be borne in mind when they are detailed for duties.
4. Although the command of aircraft is vested in those entitled to military command, command in the air may only be assumed in accordance with the instructions in, *Military Aviation Authority, Regulations and Directives*.

### 0333. Sea Command

1. Sea command is vested in the following:
  - a. Officers of Flag rank when holding certain appointments which will be promulgated from time to time by the Ministry of Defence (Naval Secretary).
  - b. Officers of the RN and RNR who are borne for seaman duties in sea-going ships.
2. The term 'borne for seaman duties' means appointed as a member of the complement of a sea-going ship for duty as a seaman. Sea command is not, therefore, the exclusive prerogative of any one list or specialisation, but its exercise by a non-seaman officer requires a specific appointment 'for seaman duties' or a specific direction from superior authority. The term 'seaman duties' includes, for this purpose, officers qualified for seaman duties borne for flying duties.
3. Sea command may be conferred by explicit direction by superior authority entitled to sea command on officers, including Royal Marines officers, not mentioned above and on ratings and other ranks of the Royal Marines.

### 0334. Special Command

1. Special command will devolve upon the following officers, ratings and NCOs and other ranks of the Royal Marines by virtue of the duties they are undertaking, as defined or other wise referred to in the Articles quoted:

- a. Commanding Officers. **(0337)**
- b. Executive Officers. **(0337)**
- c. Officers of the Watch (or Day). **(0338 and 3001.1)**
- d. Provost Officers <sup>(see note)</sup> and Officers of the Patrol.
- e. Officers who by virtue of special qualifications, ability or experience, are placed in charge of a particular operation, task or duty.
- f. Ratings or other ranks of the Royal Marines on regulating, patrol or sentry duties, or as Quartermaster in harbour. **(3426.1)**
- g. Mess Presidents. **(8105)**; Leading Rates of Messes **(0361.5)**
- h. Other ratings specially authorized by the Ministry of Defence (Navy) or by the officer allotting or in charge of the work. **(0361.4 and 5)**
- i. Officers and ratings who are qualified as aircrew and employed on flying duties. **(0332.4)**
- j. Warrant Officers where employed as Chiefs of the Boat. **(0363, 3421.5 and .6, 0361.6)**



**Note.** The term Provost Officer refers to Commissioned Officers of the Regulating Specialisation when employed on Service Police Duties and, in order for them to effect such duties, are considered to be Provost Officers as prescribed within the Armed Forces Act 2006.)

2. Special command will be exercisable by such personnel only while the particular duty or situation which requires it lasts.

### 0335. Order of Command

1. The chain of command is as follows:

- a. **Sea-Going Ships.** In sea-going ships, command descends first to the officer appointed as Executive Officer and then by seniority through those officers entitled to exercise sea command. In small ships the Captain, following any directions given by the senior officer of the Flotilla, squadron or administrative authority, is to prescribe in their standing instructions the order in which officers and ratings are to succeed to the command of the ship and exercise sea command in the event of a situation arising in which no officers entitled to exercise sea command remain available for duty.



Unless there are good reasons to the contrary, officers entitled to exercise military command should succeed before officers not so entitled, and officers should succeed to the command before ratings.

b. **Ships Building or Major Refit.** In ships building or paid off for major refit, which carry no Executive Officer, appointed as such, military command vests automatically under the provisions of **0332.1** or is conferred by appointment or direction under **0332.2**. The officer exercising military command, following any directions given by the administrative authority, is to prescribe in their standing instructions the order in which officers and ratings are to succeed to the command of the ship in the event of a situation arising in which no officer entitled to exercise military command remains available for duty. Unless there are good reasons to the contrary, officers should succeed to the command before ratings. When the Executive Officer, appointed as such, is borne the chain of command as laid down in paragraph a above is effective.

c. **Fleet Establishments.** In Fleet establishments including naval air stations, command descends first to the officer appointed as Executive Officer of the establishment and then by seniority through those entitled to exercise military command. In small Fleet establishments, the Captain, following any directions given by the administrative authority, is to prescribe in his standing instructions the order in which officers and ratings are to succeed to the command of the establishment and exercise military command in the event of a situation arising in which no officers entitled to exercise military command remain available for duty. Unless there are good reasons to the contrary, officers should succeed to the command before ratings.

d. In Fleet establishments with a sea-going element, the Captain and the officer appointed as Executive Officer will, if not otherwise entitled, have the power of sea command specially conferred upon them for the purpose of commanding the sea-going element of the establishment. In the absence of both the Captain and the Executive Officer, and if the officer next in the line of command is not authorised to exercise sea command, command is to divide, the senior officer entitled to military command commanding the shore establishment, and the senior officer entitled to sea command commanding the sea-going element.

e. **Boats.** Command of the boats belonging to a ship or establishment descends first to the officer appointed as Executive Officer of the ship or establishment to which the boats belong and then by seniority through those entitled to exercise military command.

f. Command of an individual boat, subject to any provision which has been made under **0361.6**, will be in order of military command.

2. Where officers in the line of command are of equal rank and seniority, command descends in the order of relative rank as determined by **0301.4**.

3. Officers holding acting rank are to take rank and command after those holding the corresponding confirmed rank and before those holding a lower confirmed or acting rank. Those holding the same acting rank take rank and command amongst themselves according to seniority in their substantive rank.



Probationary officers rank after confirmed and after acting officers of corresponding rank; and amongst themselves rank in the order in which they appear in the Navy List. Honorary rank, which gives no title to command, is dealt with in BRd 3, Naval Personnel Management, Section 10. See *also* **0342.3** and **.4** on retired officers granted acting rank and **0361** on confirmed and acting ratings.

4. An officer who is promoted is to take the higher rank and command only if they are re-appointed to their ship in the higher rank. If not so re-appointed they are to continue to perform the duties of, and assume command in, the rank from which they have been promoted, but senior of that rank, until relieved or until other instructions are issued by the Ministry of Defence (Navy). This clause does not apply to Flag Officers; see **0321.2**.

5. If an officer is placed on the retired list they are to be retained in the ship in the rank in which they have been serving, and is to continue to do duty until superseded or discharged by order of the Ministry of Defence (Navy).

6. The general instructions given in this article are subject to the special directions given in **0337** to **0341**.

### **0336. Command when the Captain is Sick or Absent**

1. If the Captain has ceased to exercise command, through sickness or for any other reason, or because of absence on duty or leave during which they will be absent from the ship for over 48 hours, the officer next in command (**0335**) is to assume powers and duties as though they had themselves been appointed in command. In these circumstances they have full powers of punishments as Captain of the ship (but see JSP 830, Manual of Service Law).

2. When the Captain, without having ceased to exercise command, is absent from their ship, the officer next in command is responsible for everything done on board. They are to act as Commanding Officer for the time being and are to assume the powers necessary to carry out this duty; these do not include the Captain's powers of punishment.

3. If the Captain and the officer appointed as Executive Officer have both ceased to exercise command, the officer on whom the command devolves is to direct any suitable officer to act as Executive Officer and may delegate to them powers of punishment not exceeding those appropriate to their rank under JSP 830, Manual of Service Law. Any powers of punishment already delegated by the Captain remain effective unless the Commanding Officer directs otherwise. An officer nominated to act as Executive Officer under this clause retains their normal position in the line of command and has the status of the 'officer appointed as Executive Officer' (**0335** and **0337**).

4. Instructions about the issue of temporary appointments in command are given in BRd 3, Naval Personnel Management, Section 10.

### **0337. Authority of Commanding Officer and Executive Officer**

1. All officers of whatever relative rank, and whether entitled to sea or military command or not, are to be subject to the authority of the Commanding Officer for the time being and of the officer appointed as Executive Officer, except in matters in which heads of departments have a direct responsibility to the Commanding Officer.

**0338. Authority of the Officer of the Watch**

1. Every officer and other person, not being either the Commanding Officer or the Commanding Officer for the time being (see **0802**) or the Executive Officer, is to be subordinate to the Officer of the Watch, whatever may be their rank, in regard to the performance of the duties with which the Officer of the Watch is charged (see Chap 30).

**0339. Officers Borne Additional for Special Service**

1. Officers who are borne on the books of a ship as additional for some special or particular service, for example as staff officers, are never to assume the charge and command of the ship in which they are so borne, or any other charge or command on board except that which appertains to the special or particular service for which they are borne, unless they are expressly authorized to do so by the Ministry of Defence (Navy). This regulation is not to affect the authority of the Captain of a ship to which tenders are attached to delegate powers of punishment.

2. When it is desired that an officer borne additional for staff or special duties should practice or gain experience in ship handling etc, authority for them to take charge of a watch at sea or in harbour may be given by the senior officer of the squadron or unit, but this does not put them in the line of succession to command of the ship.

**0340. Officers Lent or Borne Additional not for Special Service**

1. Officers lent from another ship for duty and officers borne additional for duty, if not borne for any special or particular service, are to be considered as if they belonged to the complement and are to take rank and command according to their seniority and qualifications.

**0341. Officers Borne for Passage**

1. Any officer on full pay borne for passage in one of HM ships may be ordered to do duty on board provided that they are junior to the Executive Officer. While so employed they are to rank and command as if they belonged to the complement, but they are not eligible to succeed to command of the ship unless they are given express authority to do so by the Ministry of Defence (Navy).

2. This article also applies generally to officers temporarily accommodated in a fleet establishment but not appointed for duty there.

**0342. Retired Officers Required to Serve**

1. The relative rank of officers on the Retired List and Emergency List who are recalled to active duty is stated in **0305**.

2. When a step, or steps, in rank on the Retired List have been granted automatically by virtue of and in strict seniority, these officers are to take command according to their seniority on the Retired List, subject to the conditions that officers retired from the rank of Captain are not to take command over an officer on the Active List of officers of flag rank, or over one who has retired from that list.

3. Except as provided above, steps in rank given on or after retirement do not give any right of command, which is to be governed by the officers' seniority in the rank held on the Active List at the date of retirement, but when an officer on the Retired List is granted higher acting rank they are to take command according to the acting rank in the same manner as though they were on the Active List (**0335.3**).

4. When a retired officer holding higher acting rank is promoted to the substantive rank on the Retired List they are to continue to take command in the acting rank granted to them before the substantive promotion, unless directions to the contrary are received from the Ministry of Defence.

5. Honorary or war service rank is to be ignored when officers are recalled to active duty.

### **0343. Reserve Officers**

1. Officers of the Royal Navy, and officers of the Royal Naval Reserve who are 'qualified officers' (highlighted by the relevant competencies in JPA) take rank and command in relation to each other according to their respective ranks and seniorities.

2. 'Qualified officers' of the Reserve take rank and command before officers of the Reserves of equivalent rank of any seniority who are not 'qualified officers'. 'Officers of equivalent rank' means officers in the same numbered group in Tables 3–1 to 3–4.

3. Officers of the Reserves who are not 'qualified officers' take rank and command after officers of the Royal Navy and 'qualified officers' of the Reserves of equivalent rank of any seniority. In relation to each other they take rank and command according to their respective ranks and seniorities.

4. Should the Ministry of Defence grant powers of command (**0331**) to any unqualified Reserve officer during the tenure of a particular appointment, they then take rank and command as if they were for the time being a 'qualified officer'; see Clause 6.

5. Subject to the foregoing regulations about 'qualified officers', the relative rank of Reserve officers is determined in accordance with **0301.4**.

6. Reserve General Warfare Officers with the appropriate Command Qualification who are appointed to sea-going ships are entitled to exercise Sea Command. Reserve officers are not entitled to exercise military command unless expressly appointed or directed to do so. (See *also* **0331–0333**.)

### **0344. Presiding Officer at Assemblages**

1. Whenever possible the officer who convenes a Service Inquiry, survey, or other assemblage of officers, should nominate the officer who is to preside; at the convening officer's discretion the president may be an officer not entitled to military command. In the absence of nomination, and subject to **0301.2**, the senior officer entitled to military command is to preside irrespective of the relative rank of the other officers, whose precedence amongst themselves is to be determined by **0301**.

**0345. Authority When Wrecked or Lost**

1. If one of HM ships is wrecked or otherwise lost or destroyed or taken by the enemy, the authority given to the Captain, and to the other officers and ratings with respect to each other, remains in full force as effectually as if the ship were not lost. Command of the survivors descends first to the officer appointed as Executive Officer and then by seniority through those entitled to military command—subject to the provisions of **0339** and **0340**.

**0346–0360. Unallocated**

**SECTION IV – SHIP'S COMPANY**

**0361. Serving Crews**

1. The crews of HM ships shall consist of the rates and ratings specified in BRd3; they shall rank and command after naval officer cadets according to the rules of this article.

2. Except as provided in Clause 3, any rating of any one of the following rates shall rank and command before any rating of a rate below it in the following list, and ratings belonging to any one of these rates shall rank and command among themselves according to their seniority in that rate:

Warrant Officer 1  
Warrant Officer 2  
Chief Petty Officer  
Petty Officer  
Leading Rating  
Able Rating

3. Exceptionally, ratings exercising military command, sea command or special command under the terms of **0332–0335** rank and command before all ratings thus placed under their authority.

4. A rating of any category may be authorised, by special direction of the Ministry of Defence or by the officer allotting or in charge of the work to be done, to assume special command and give lawful orders to ratings otherwise their superiors in the performance of duties requiring the application of their special skill, ability or experience. This will apply to Leading Rates of messes whose duties will be laid down in ship's orders.

5. Ratings holding an acting rate shall rank and command immediately after ratings holding the corresponding confirmed rate and, amongst themselves, according to their seniority in their acting rate.

6. Ratings of exactly equal seniority in the same rate shall rank and command according to their seniority in the next lower rate. Ratings who have been disrated or reverted and re-advanced will reckon their previous service in their present rate for purposes of rank and command.

### **0362. Pensioners and Royal Fleet Reservists**

1. The provisions of **0361.2** and **.8** do not apply to pensioners and Royal Fleet reservists called up for further service in an emergency. Their status as regards rank and command is that seniority is based on the time served in an active service capacity, including time served since calling up, but excluding time out of the Service.

### **0363. Chief of the Boat, Coxswain and Submarine Coxswain**

1. A Warrant Officer appointed in complement as Chief of the Boat or a rating appointed in complement as Coxswain or Submarine Coxswain shall rank and command with other ratings according to his rate and seniority for general purposes but in the execution of his regulating duties is authorized to give lawful orders to ratings otherwise his superiors (**3421.5**).

### **0364–0370. Unallocated**

## **SECTION V – ROYAL MARINES**

### **0371. Relative and Corresponding Rank**

1. The relative rank with the Royal Navy of Royal Marines officers and other ranks is as shown in **0301** and Table 3–1, which also lists corresponding ranks with the Army and Royal Air Force.

### **0372. Command**

1. Officers and non-commissioned officers of the Royal Marines are to exercise command in accordance with their ranks and the custom of the Royal Marines service in all matters relating to their distinct duty as such. In any duty which they are ordered by a superior naval officer to carry out in conjunction with naval officers and ratings they are to take command according to their relative rank, unless, owing to the particular nature of the duty, the superior naval officer should direct otherwise. In all matters they are to be under the command of the Captain and of the Executive Officer of the ship in which they may be, and of the Officer of the Watch for the time being, whatsoever may be their rank.

2. All officers of the Royal Marines, except officers of the Band Service, are entitled to exercise military command, in the same way as officers of the Royal Navy.

3. As indicated in **0333.3**, sea command may be conferred on officers and other ranks of the Royal Marines by appointment or by direction of superior authority.

4. A Royal Marines officer appointed in command or as Executive Officer of one of HM ships or landing craft or bases or establishments administered as HM ships, is entitled to exercise the same command as would be exercised by an officer of the Royal Navy holding the same appointment.

## **BRd 2**

### **0373. Order of Command**

1. Officers of the Royal Marines and of the Royal Marines Reserve take rank and command amongst themselves in the following order in any given rank (see *also* **0343.6**):

- a. Royal Marines (Active, Retired, Emergency List).
- b. Royal Marines Reserve.

2. Officers of the RMR when called into service on general mobilization will take rank and command as officers of the Royal Marines.

### **0374. Acting, Temporary and Honorary Rank**

The regulations in BRd3, are applicable to officers of the Royal Marines.

### **0375–0380. Unallocated**

## SECTION VI – COMMAND AND CORRESPONDING RANK

### 0381. Naval, Military and Air Forces Acting Together

1. Under the provisions of the Armed Forces Act 2006 when members of one Service are co-operating with one or both of the other Services they enjoy like power of command over members of another Service as the members of that Service of ‘corresponding rank’ insofar as power of command depends upon rank or rate. The expression ‘corresponding rank’ is defined in the Acts by reference to Queen’s Regulations. Thus when members of different Services are acting together, the superior officers of one Service become, in accordance with the scale of corresponding ranks prescribed by these Regulations at Table 3–1 below, superior officers of members of the other Services of lower corresponding rank or less seniority and can, consequently, give lawful commands to them. These provisions and these circumstances do not, however, bestow upon any member of one Service the power or right to assume command over any body of HM Forces or over any ship, aircraft, unit, formation or establishment of another Service unless it is specifically placed under their command.

2. The corresponding ranks, solely for purposes of command of the three Services are set out below at Table 3-1.

**Table 3–1**

(Navy only: See Annex 3A for NATO Codes)

<b>NATO Code (RN only)</b>	<b>RN including QARNNS</b>		<b>Military including RM, and QARANC</b>	<b>Air Force including PMRAFNS</b>
OF–10	Admiral of the Fleet		Field Marshal	Marshal of the Royal Air Force
OF–9	Admiral		General	Air Chief Marshal
OF–8	Vice-Admiral		Lieutenant-General	Air Marshal
OF–7	Rear-Admiral		Major-General	Air Vice-Marshal
OF–6	Commodore		Brigadier	Air Commodore
OF–5	Captain		Colonel	Group Captain
OF–4	Commander		Lieutenant-Colonel	Wing Commander
OF–3	Lieutenant-Commander		Major	Squadron Leader
OF–2	Lieutenant		Captain	Flight Lieutenant
	{	Sub-Lieutenant	Lieutenant	Flying Officer
OF–1		Midshipman (QARNNS does not have a Midshipman rank)	Second Lieutenant	Pilot Officer Acting Pilot Officer ( <i>but junior to Second Lieutenant</i> )

**Table 3–1—(cont.)**  
(Navy only: See Annex 3A for NATO Codes)

<b>NATO Code (RN only)</b>	<b>RN including QARNNS</b>	<b>Military including RM, and QARANC</b>		<b>Air Force including PARAFNS</b>
OR–9	Warrant Officer, Class 1	Warrant Officer, Class I		Warrant Officer
				Master Aircrew—
				Master Signaller
				Master Engineer
				Master Air Electronics
				Operator
				Master Air Loadmaster
OR–8	Warrant Officer, Class 2	Warrant Officer, Class II <i>(but junior to Naval and Air Force Warrant Officer)</i>		
OR–7	Chief Petty Officer Master-At-Arms	Staff Corporal		Flight Sergeant
		Staff Sergeant		Chief Technician
		Colour Sergeant, R.M.		
OR–6	Petty Officer	Corporal-of-Horse		Sergeant
OR–5		Sergeant		
OR–4	Leading Hand	Corporal		Corporal
		Bombardier		
OR–3		Lance- Corporal Lance- Bombardier	<i>(but junior to Corporal and Bombardier and to all Naval and Air Force ranks)</i>	



**Table 3–1—(cont.)**  
(Navy only: See Annex 3A for NATO Codes)

<b>NATO Code (RN only)</b>	<b>RN including QARNNS</b>	<b>Military including RM, QARANC</b>	<b>Air Force including PMRAFNS</b>
OR–2	Able Rating (however described as Naval Nurse for QARNNS)	Marine	Junior Technician
		Private, however described including:	Senior Aircraftman/woman
		Trooper	Leading Aircraftman/woman
		Gunner	Aircraftman/woman
		Sapper	
		Signalman	
		Guardsmen	
		Fusilier	
		Kingsman	
		Rifleman	
		Ranger	
		Air trooper	
		Driver	
		Craftsman	
OR–1			



**Notes:**

1. *In the performance of their duties in wards etc, nursing personnel are to use professional titles, e.g. Nurse, Sister (Charge Nurse in respect of male nurses), Senior Sister, Matron, etc.*
2. *A qualified RAF Musician appointed to the post of Drum Major retains their normal rank while holding the appointment*

Table 3–2 Relative Ranks of Medical and Dental Officers

<b>(a)</b> <b>General List</b>	<b>(b)</b> <b>Medical Officers</b>	<b>(c)</b> <b>Dental Officers</b>
1. Admiral of the Fleet		
2. Admiral		
3. Vice-Admiral	Surgeon Vice-Admiral	
4. Rear-Admiral	Surgeon Rear-Admiral	Surgeon Rear-Admiral (D)
5. Commodore	Surgeon Commodore	
6. Captain	Surgeon Captain	Surgeon Captain (D)
7. Commander	Surgeon Commander	Surgeon Commander (D)
8. Lieutenant-Commander	Surgeon Lieutenant-Commander	Surgeon Lieutenant-Commander (D)
9. Lieutenant‡	Surgeon Lieutenant*	Surgeon Lieutenant (D)*
10. Sub-Lieutenant*	Surgeon Sub-Lieutenant*	Surgeon Sub-Lieutenant (D)*
11. Midshipman*		

\*Commissions: see 0302.

‡For GL officers entered on or after 1 May 1972.

**Table 3–4 Royal Naval Reserve**  
(Lists 3 to 6)

(a) Warfare Branch	(b) Logistics Branch	(c) Medical Branch	(d) Chaplains Branch	(e) Air Branch	(f) Initial Entry Branch
5. Commodore					
6. Captain	Captain	Surgeon Captain	As required by the conventions of the Service	Captain	
7. Commander	Commander	Surgeon Commander		Commander	Commander
8. Lieutenant Commander	Lieutenant Commander	Surgeon Lieutenant-Commander		Lieutenant-Commander	Lieutenant-Commander
9. Lieutenant	Lieutenant	Surgeon Lieutenant*		Lieutenant	Lieutenant
10. Sub-Lieutenant*	Sub-Lieutenant	Surgeon Sub-Lieutenant Acting Surgeon Sub-Lieutenant		Sub-Lieutenant	Sub-Lieutenant
11. Midshipman*	Midshipman*			Midshipman*	Midshipman

\*Commissions are issued on appointment or promotion to this or higher rank in the permanent RNR; see **0302**.

List 3. The main RNR List for officers and ratings.

List 4. Trained officers and ratings not required, willing, or able to meet the List 3 commitment of 24 days Annual Training.

List 5. Trained officers and ratings not required, willing or able to meet the List 4 commitment of 18 days Annual Training.

List 6. A holding list for officers and ratings unable to meet any training commitment for in excess of one year but for no longer than three years.

**J.0384–0390. Unallocated**

## SECTION VII – DEGREES OF COMMAND AND ADMINISTRATION

### 0391. General

1. The following terms and definitions are established to define the varying degrees of authority which may be vested in a Commander. With the exception of the terms 'local administration', 'administrative authority', and 'type command' which are for RN use only and may not be understood by other Services or Allied forces, these terms and definitions have been established by UK inter-Service and/or Canadian/UK/US agreement in order to achieve standardization of terms concerning command for use in NATO.

### 0392. Command Definitions

1. **Command.** The authority vested in an individual of the armed forces for the direction, co-ordination and control of military forces.

a. The terms "full command", "operational command" and "operational control" specify more precisely the varying degrees of authority which may be vested in a Commander and, in this context, should be used in preference to the term "command" by itself.

2. **Full Command.** The military authority and responsibility of a superior officer to issue orders to subordinates. It covers every aspect of military operations and administration and exists only within national Services (AJP-3, Allied Joint Doctrine for the Conduct of Operations; 1.78).

a. Full command is exercised by:

(1) Single Service Commanders at all levels over their own forces in accordance with current regulations.

(2) Commanders responsible to Her Majesty's Government, through the Chief of Defence Staff, for the planning and conduct of all operations under their commands, and for the oversight and co-ordination necessary to ensure the most effective functioning of the Services under their command, and the attainment of maximum economy in administration. They will exercise command through their subordinate single Service Commanders who will normally deal direct with their own Service departments on all matters of training, administration and finance.

(3) In the case of the civilian manned Royal Fleet Auxiliary, the Full Command vested in the Fleet Commander and DCNS excludes disciplinary matters. Discipline for RFA personnel is the ultimate responsibility of the Permanent Under Secretary of State, as the senior civilian in the Ministry of Defence, except when relevant sections of the Armed Forces Act apply.

b. No NATO Commander has full command over the forces assigned to them since nations, in assigning forces to NATO, assign only operational command or operational control.

3. **Operational Command.** The authority granted to a Commander to assign missions or tasks to subordinate Commanders, to deploy units, to re-assign forces and to retain or delegate operational and/or tactical control as may be deemed necessary. It does not of itself include administrative command or logistic responsibility (AJP-3, Allied Joint Doctrine for the Conduct of Operations; 1.78).
- a. Operational command embraces authority and responsibility for the whole field of operations and the co-ordination of logistics, but excluding all other manners and logistic responsibilities. It includes arrangements for tactical training. It does not carry the authority to disrupt the basic organisation of a unit or to deploy components of it to the extent that it cannot readily be given a new task or be re-deployed elsewhere.
  - b. Operational command is the highest degree of command authority which will be delegated by nations, within NATO, to the major NATO Commanders.
4. **Operational Control.** The authority granted to a Commander to direct forces assigned so that the Commander may accomplish specific missions or tasks which are usually limited by function, time or location; to deploy units concerned and to retain or assign tactical control of these units. It does not include authority to assign separate employment of components of the units concerned; neither does it, or itself, include administrative or logistic control (AJP-3, Allied Joint Doctrine for the Conduct of Operations; 1.78).
- a. Operational control does not include authority to employ a formation, or any part of it, on tasks other than the assigned task, or to disrupt its basic organization so that it cannot readily be given a new task or be re-deployed elsewhere.
  - b. In joint operations it may sometimes be necessary to place units of one Service under operational control of another in the interests of the swift and efficient execution of a particular task or mission. The Commander given operational control of a formation or unit will be assisted in the employment of the unit(s) by the issue of a short directive from the unit's/units' parent Service Commander and they may not then exceed the limits of the unit's/units' use as laid down in the directive without reference to the issuing authority.
5. **Tactical Command.** The authority delegated to a Commander to assign tasks to forces under their command for the accomplishment of the mission assigned by higher authority (AJP-3, Allied Joint Doctrine for the Conduct of Operations; 1.78).
6. **Tactical Control.** The detailed, and usually local direction and control of movements or manoeuvres necessary to accomplish missions or tasks assigned. A Commander having tactical control is responsible for the method of execution and issues the necessary orders to units. It is the lowest degree of authority which, within NATO, may be delegated to a NATO Commander to achieve a specific mission (AJP-3, Allied Joint Doctrine for the Conduct of Operations; 1.78).

7. **Operational Chain of Command.** The chain of command established for a particular operation or series of continuing operations
8. **Officer in Tactical Command (Naval).** The senior officer present eligible to assume command, or the officer to whom they have delegated tactical command (AJP-3.1 Allied Joint Doctrine for Maritime Operations 3.8).
9. **Type Command.** Responsibility for those matters which are common to a particular type of vessel. Type command includes responsibility for an input into the requirements for equipments and the establishment of common standards for material, personnel and training and the development of tactics. The Type Commander is also responsible for advising the Navy Department and Operational Commanders on these matters. This range of responsibilities differs in degree between Type Commanders and does not in itself include administrative responsibilities. Of the ships under the Fleet Commander's full command, Fleet Commander and DCNS retains type command of all surface ships of frigate size and above and delegates type command of other vessels to the appropriate subordinate commander.
10. **Typed Squadrons.** Similar ships in a class or ship type may be formed into typed squadrons with a designated Squadron Commander. The Squadron Commanders are responsible for developing and upholding the operational effectiveness of the ships in their squadrons and they are to represent to a higher authority the contribution and the needs of their squadron. The Squadron Commanders will act as a focus for all matters common to ships in their squadrons, and they are a major source of 'special to type' knowledge on the employment, operation and material of their ships, so that the strengths and weaknesses can be identified, evaluated and acted upon.

### 0393. Administration Definitions

1. **Administration.** The management and execution of all military matters not included in tactics and strategy, primarily in the fields of logistics and personnel management; or the internal management of units.
  - a. 'Administration' embraces authority and responsibility for all matters concerning personnel and material, including weapon training. It does not include the internal management of units in the RN because in practice this cannot be separated from other aspects of command.
2. **Administrative Control.** Direction or exercise of authority over subordinates, or other organizations, pertaining to personnel management; supply services and other matters not included in the operational missions of the subordinate or other organizations.
  - a. The terms 'administration' and 'administrative control' are virtually synonymous. 'Administration' should normally be used in the RN.
3. **Administrative Chain of Command.** The normal chain of command as determined by the administrative organization; or the chain of command set up for administrative purposes for a particular operation or series of operations.

4. **Local Administration.** The day-to-day exercise of administration by a Commander not in the administrative chain of command.

- a. A Commander responsible only for the local administration of a unit must refer to that unit's normal administrative authority before interfering in questions of policy.

5. **Administrative Authority.** The Commander responsible for the administration of a particular unit.

- a. The administrative authority is the Commander immediately superior to a unit in the administrative chain of command unless otherwise ordered.

#### **0394. Fighting Arms.**

1. The Royal Navy has 5 fighting arms recognized as the Surface Fleet, the Submarine Service, the Fleet Air Arm, the Royal Marines and the Royal Fleet Auxiliary. Each fighting arm, is comprised of formed units, capable of independent deployment, in whole or in part, to contribute to Defence Outputs. Each Fighting Arm shall have as its titular head, a 1\* officer with the exception of the Royal Marines who retain a 2\* Commandant General. The Heads of Fighting Arm shall be responsible for warfighting standards and represent the broader concerns of their respective Arm. Special regard shall be had to the welfare of personnel and the Moral Component of Operational Capability. Each Head of Fighting Arm and their formed units, shall be recognised on the RN Fleet Bridge Card.

#### **0395. The RN Fleet Bridge Card**

The RN Fleet Bridge Card is the definitive list of Formation Commanders, Flotillas, Naval Bases and Commanding Officers of formed units under the command of the Fleet Commander. These units are drawn from the 5 Fighting Arms, (The Surface Fleet, The Submarine Service, The Fleet Air Arm, The Royal Marines and the Royal Fleet Auxiliary) and listed under their relevant Squadron, Force, Flotilla, Brigade or Station Commander. The Bridge Card is also to list RN Formation Commanders, Heads of Fighting Arms and Joint Theatre Commanders which (may) have RN units under their command.

#### **0396–0399. Unallocated**





## **BRd 2**

### **Application**

7. The code is to be used in preparing:

- a. Establishment tables.
- b. Personnel statistics.
- c. Strength returns.
- d. Personnel requisitions.
- e. Other reports dealing with personnel, to include Automated Data Handling (ADH) reporting procedures.

8. Personnel requisitions to fill NATO posts shall indicate NATO code herein specified in conjunction with the approved manning document. Nations will normally be expected to fill allocated posts by personnel holding the grade indicated by the NATO code reflected in the manning document. Personnel holding a rank different from that stated in the manning document are expected to perform the duties of their post irrespective of their national rank.

9. Precedence when performing duties within NATO organizational and functional elements (Staff, divisions, branches, sections, unit, etc.) shall be in accordance with the approved manning document for that element.

10. When a manning document includes personnel of different nations and/or different services, the grade is to be preceded by the national distinguishing letters (as per STANAG 1059) and one of the following abbreviations for the service concerned: (A) for Army, (N) for Navy, (AF) for Air Force and (SI) for Service Immaterial.

Example: Belgian Army Colonel = BE (A) OF-5

### **Procedure for Amendments**

11. A nation desiring to propose an amendment shall forward its proposal to the Army Board.

### **Implementation of the Agreement**

12. This STANAG will be considered implemented when the necessary orders/instructions to apply the information contained in this Agreement have been issued to the forces concerned.

(NATO UNCLASSIFIED)

**Annex A**  
**STANAG 2116**  
 (Edition No. 4)

\*  
**ARMY OFFICER PERSONNEL**

The NATO Codes are reproduced in Chapter 3, Table 3–1.

<b>Grading</b>	<b>NATO Code</b>	<b>BE<sup>2</sup></b>	<b>CA<sup>4</sup></b>	<b>DA</b>	<b>FR</b>
National Title	OF–10	No equivalent	No equivalent Pas d'équivalent	No equivalent	Maréchal de France <sup>5</sup>
General Officer	OF–9	No equivalent	General/Général	General	Général d'Armée
General Officer	OF–8	Lieutenant-Général	Lieutenant-General Lieutenant-Général	Generalløjtnant	Général de Corps d'Armée
General Officer	OF–7	Général-Major	Major-General Major-Général	Generalmajor	Général de Division
General Officer	OF–6	Général de Brigade	Brigadier-General Brigadier-Général	No equivalent	Général de Brigade
Senior or Field Grade Officer	OF–5	Colonel	Colonel	Oberst	Colonel
Senior or Field Grade Officer	OF–4	Lieutenant-Colonel	Lieutenant-Colonel	Oberstløjtnant	Lieutenant-Colonel
Senior or Field Grade Officer	OF–3	Major <sup>2</sup>	Major	Major	Commandant <sup>6</sup>
Junior Officer	OF–2	Capitaine <sup>2</sup>	Captain Capitaine	Kaptajn	Capitaine
Junior Officer	OF–1	Lieutenant <sup>3</sup>	Lieutenant Second Lieutenant Sous-Lieutenant	Premierløjtnant Løjtnant/Sekond-Løjtnant Pilotofficer	Lieutenant Sous-Lieutenant

(NATO UNCLASSIFIED)

\*

Grades listed in this Annex apply to *Army* only.

(NATO UNCLASSIFIED)

<b>Grading</b>	<b>NATO Code</b>	<b>GE</b>	<b>GR</b>	<b>IT</b>	<b>LU</b>
National Title	OF-10	No equivalent	No equivalent	Generale d'Armata <sup>11</sup>	No equivalent
General Officer	OF-9	General	Stratigos	Generale di Corpo d'Armata con Incarichi Speciali <sup>12</sup>	No equivalent
General Officer	OF-8	General-leutnant <sup>7</sup>	Antistratigos	Generale Designato d'Armata <sup>13</sup> /Generale di Corpo d'Armata	No equivalent
General Officer	OF-7	Generalmajor <sup>7</sup>	Ypostratigos <sup>10</sup>	Generale di Divisione	No equivalent
General Officer	OF-6	Brigade-general <sup>8</sup>	Taxiarchos <sup>10</sup>	Generale di Brigata	No equivalent
Senior or Field Grade Officer	OF-5	Oberst <sup>9</sup>	Syntagma-tarchis	Colonnello	No equivalent
Senior or Field Grade Officer	OF-4	Oberstleutnant <sup>9</sup>	Antisyntagma-tarchis	Tenente Colonnello	Lieutenant-Colonel
Senior or Field Grade Officer	OF-3	Major <sup>9</sup>	Tagmatarchis <sup>10</sup>	Maggiore	Major
Junior Officer	OF-2	Hauptmann <sup>9</sup>	Lochagos <sup>10</sup>	Capitano	Capitaine
Junior Officer	OF-1	Oberleutnant Leutnant	Ypolochagos <sup>10</sup> Anthypolochagos <sup>10</sup>	Tenente Sottotenente	Lieutenant and premier Lieutenant

<b>Grading</b>	<b>NATO Code</b>	<b>NL</b>	<b>NO</b>	<b>PO</b>	<b>TU</b>
National Title	OF-10	No equivalent	No equivalent	Marechal	Mareşal
General Officer	OF-9	Generaal	General	General (4 stars) <sup>17</sup>	Orgeneral
General Officer	OF-8	Luitenant-generaal	General-løytnant	General <sup>18</sup>	Korgeneral
General Officer	OF-7	Generaal-majoor	Generalmajor	Brigadeiro	Tümgeneral
Generaal Officer	OF-6	Brigade-generaal	Oberst I	No equivalent	Tuggeneral
Senior or Field Grade Officer	OF-5	Kolonel	Oberst II	Coronel	Albay
Senior or Field Grade Officer	OF-4	Luitenant-kolonel	Oberst-løytnant	Tenente-Coronel	Yarbay
Senior or Field Grade Officer	OF-3	Majoor	Major	Major	Binbaşı
Junior Officer	OF-2	Kapitein <sup>14</sup>	Kaptein <sup>16</sup>	Capitao	Yübaşı
Junior Officer	OF-1	Eerste-luitenant Tweede-luitenant Vaandrig <sup>15</sup>	Løytnant Fenrik	Tenente Alferes	Usteğmen Teğmen Asteğmen

(NATO UNCLASSIFIED)

\* Grades listed in the Annex apply to *Army* only.

**BRd 2**

(NATO UNCLASSIFIED)				
<b>Grading</b>	<b>NATO Code</b>	<b>UK</b>	<b>US</b>	
National Title	OF-10	Field Marshal	General of the Army	
General Officer	OF-9	General	General	
General Officer	OF-8	Lieutenant-General	Lieutenant-General	
General Officer	OF-7	Major-General	Major-General	
General Officer	OF-6	Brigadier	Brigadier-General	
Senior or Field Grade Officer	OF-5	Colonel <sup>19</sup>	Colonel	
Senior or Field Grade Officer	OF-4	Lieutenant-Colonel <sup>19</sup>	Lieutenant-Colonel	
Senior or Field Grade Officer	OF-3	Major <sup>19</sup>	Major	
Junior Officer	OF-2	Captain <sup>19</sup>	Captain	
Junior Officer	OF-1	Lieutenant <sup>19</sup> Second Lieutenant	First Lieutenant Second Lieutenant <sup>20</sup>	

Notes:

The US Warrant Officer is not included in either the 'OR' or 'OF' grade codes. The Warrant Officer is the rank below Second Lieutenant but above enlisted personnel. In the US service a Warrant Officer is afforded the privileges of an officer.

BE-<sup>1</sup> In the Medical Service, the grades of Medical, Pharmacist, Dental and Veterinarian Officers are the same as those of the Army. However, the rank is preceded by the specification:

Médecin/Geneesheer  
Pharmacien/Apotheker  
Dentiste/Tandarts  
Vétérinaire/Dierenarts

<sup>2</sup> Capitaine-Commandant is a junior officer OF-2 who may perform the functions of a Major OF-3.

<sup>3</sup> The Adjudant candidat officier (Junior Candidate) is to be considered as a junior officer OF-1.

CA-<sup>4</sup> The Army of Canada is referred to as the 'Land Element' of the Canadian Forces.

FR-<sup>5</sup> This is not a rank but a title, which corresponds moreover to a high position in the State ('Dignité dans l'Etat').

- <sup>6</sup> In the Infantry, Engineers and Signals: 'Chef de bataillon';  
In the Armoured Corps/Cavalry: 'Chef d'escadrons';  
In the Gendarmerie, Artillery and Train (Transport): 'Chef d'escadron'.  
However, an officer of this rank is spoken to as 'Mon Commandant' in all branches of the Army.

(NATO UNCLASSIFIED)

\* Grades listed in this Annex apply to *Army* only.

(NATO UNCLASSIFIED)

GE-<sup>7</sup> Equivalent rank exists for medical personnel (doctors):

OF-8 'Generaloberstabsarzt'

OF-7 'Generalstabsarzt'

<sup>8</sup> Equivalent rank exists for medical personnel (doctors, pharmacists):

OF 6 'Generalarzt, Generalapotheker'

<sup>9</sup> Equivalent rank exists for medical personnel (doctors, chemists, veterinaries):

OF-5 'Oberstarzt, Oberstapotheker, Oberstveterinär'

OF-4 'Oberfeldarzt, Oberfeldapotheker, Oberfeldveterinär'

OF-3 'Oberstabsarzt, Oberstabsapotheker, Oberstabsveterinär'

OF-2 'Stabsarzt, Stabsapotheker, Stabsveterinär'

GR-<sup>10</sup> The equivalent ranks for legal corps, religious corps and army nurse corps are as follows:

<b>NATO Code</b>	<b>Legal Corps</b>	<b>Religious Corps</b>	<b>Army Nurse Corps</b>
OF-8	Anatheoritis A	—	—
OF-7	Anatheoritis B	—	—
OF-6	Anatheoritis C	—	—
OF-5	Dikastikos Symboulos A	Prothiereys A	—
OF-4	Dikastikos Symboulos B	Prothiereys B	Diefthinouss A
OF-3	Dikastikos Symboulos C	Prothiereys C	Geniki Proistameni
OF-2	Boithos Symboulos	Dikastikos Iereys A	Proistameni
OF-1	Boithos Symboulos	Dikastikos Iereys B	Antiproistameni
OF-1	Boithos Symboulos	Dikastikos Iereys C	Epivlepoussa

IT-<sup>11</sup> Rank applicable only in wartime.

<sup>12</sup> High military appointment which carries the 'four star' rank mark.

<sup>13</sup> Appointment given in peacetime to Lieut-Generals assigned, in case of war, to the command of a major unit at Army level.

## BRd 2

NL-<sup>14</sup> Called 'Ritmeester' in the Armoured Cavalry.

<sup>15</sup> Vaandrig ('Kornet' in the Armoured Cavalry, Artillery and Royal Military Police) is an officer-candidate, who fulfils OF-1 posts and is entitled to the same prerogatives as officers.

NO-<sup>16</sup> The corresponding rank in the Cavalry is: Rittmester

PO-<sup>17</sup> A General who holds, or has held, the appointment of Chief of General Staff for the Armed Forces. Deputy Chief of General Staff for the Armed Forces, President of the Supreme Military Court, Chief of the General Staff for the Army.

<sup>18</sup> Equivalent to Divisional Commander.

UK-<sup>19</sup> Royal Marines ranks are similar to those of the Army.

US-<sup>20</sup> The Warrant Officer is a separate and distinct category of personnel in the US Forces. This rank and precedence are below those of a Second Lieutenant but above those of enlisted personnel.

Consequently, Warrant Officer grades cannot be included in either the 'OR' or 'OF' grade codes.

Warrant Officer grades are as follows for all US Services:

W-4 'Chief Warrant Officer'

W-3 'Chief Warrant Officer'

W-2 'Chief Warrant Officer'

W-1 'Warrant Officer'

(NATO UNCLASSIFIED)

\* Grades listed in this Annex apply to *Army* only.

(NATO UNCLASSIFIED)

**Annex B**  
**STANAG 2116**

(Edition No. 4)

**ARMY\*—NON-OFFICER PERSONNEL**

The NATO Codes are reproduced in Chapter 3, Table 3–1.

<b>NATO Code</b>	<b>BE</b>	<b>CA<sup>2</sup></b>	<b>DA</b>	<b>FR</b>
OR-9	Adjudant-Chef	Chief Warrant <sup>2</sup> Officer/Adjudant- Chef	Seniorsergent 1 <sup>5</sup>	Major Adjudant-Chef <sup>6</sup>
OR-8	Adjudant	Master Warrant Officer/Adjudant- maître	Seniorsergent 2 <sup>5</sup>	
OR-7	Premier Sergeant Major/Eerste Sergent-Major <sup>1</sup>	Warrant Officer/Adjudant	Oversergent <sup>5</sup>	No equivalent
OR-6	Premier Sergent/Eerste Sergeant <sup>1</sup>	Sergeant/Sergent (3 years seniority/3 ans d'ancienneté)	No equivalent	Sergent-Chef <sup>7</sup>
OR-5	Sergent/Sergeant <sup>1</sup>	Sergeant/Sergent Master Corporal/Caporal Chef <sup>3</sup>	Sergent <sup>5</sup>	Sergent <sup>7</sup>
OR-4	Caporal Chef <sup>1</sup> Korporaal-Chef	Corporal/Caporal <sup>3</sup>	Korporal	Caporal Chef <sup>8</sup>
OR-3	Caporal/Korporaal <sup>1</sup>	Private trained/Soldat entraîné <sup>4</sup>	Overkonstabel 1	Caporal
OR-2	No equivalent	Private Basic/Soldat <sup>4</sup>	Overkonstabel 2	Soldat de 1 ère classe
OR-1	Soldat/Soldaat	Private Recruit/Soldat Recrue <sup>4</sup>	Konstabel Konstabelelev Vaernepligtig menig	Soldat de 2 ème classe

(NATO UNCLASSIFIED)

\* Grades listed in this Annex apply to *Army* only.



## (NATO UNCLASSIFIED)

<b>NATO Code</b>	<b>GE</b>	<b>GR</b>	<b>IT</b>	<b>LU</b>
OR-9	Oberstabsfeldwebel Stabsfeldwebel	Anthypaspistis <sup>11</sup>	Aiutante di Battaglia  Maresciallo Maggiore	Adjutant- Major  Adjutant- Chef
OR-8	Hauptfeldwebel <sup>9</sup>	No equivalent	Maresciallo Capo Maresciallo Ordinario	Adjutant
OR-7	Hauptfeldwebel <sup>9</sup>	Archilochias	Sergente Maggiore	Sergent- Chef
OR-6	Oberfeldwebel <sup>9</sup> Feldwebel <sup>9</sup>	Epilochias	No equivalent	Premier Sergent
OR-5	Stabsunteroffizier Unteroffizier <sup>9</sup>	Lochias	Sergente	Sergent
OR-4	No equivalent	Dekanefs	Caporale Maggiore	Caporal Chef
OR-3	Hauptgefreiter Obergefreiter	Hypodekanephs	Caporale	Caporal
OR-2	Gefreiter	No equivalent	No equivalent	Soldat de 1 ère class
OR-1	Grenadier <sup>10</sup>	Stratitotis	Soldato	Soldat

<b>NATO Code</b>	<b>NL</b>	<b>NO</b>	<b>PO</b>	<b>TU</b>
OR-9	Adjutant onder-officer (3 years seniority)	No equivalent	Sargento-Mor	Ast Subay Kidemli Bas Cavuş
OR-8	Adjutant onder-officer	No equivalent	Sargento Chefe	Ast Subay Bas Cavuş
OR-7	Sergeant-majoor <sup>12</sup>	No equivalent	Sargento Ajudante	Ast Subay Ust Cavuş
OR-6	Sergeant der 1e klasse <sup>13</sup>	No equivalent	Primeiro- Sargento	Ast Subay Cavuş
OR-5	Sergeant <sup>14</sup>	Serjant <sup>19</sup>	Segundo- Sargento Furriel	Cavş
OR-4	Korporaal der 1e klasse <sup>15</sup>	Korporal <sup>20</sup>	Primeiro-Cabo	Onbaşı
OR-3	Korporaal <sup>16</sup>	Visekorporal	Segundo-Cabo	No equivalent
OR-2	Soldaat der 1e klasse <sup>17</sup>	No equivalent	Soldado	No equivalent
OR-1	Soldaat <sup>18</sup>	Menig	Soldado Recruta	Er

## (NATO UNCLASSIFIED)

\* Grades listed in this Annex apply to *Army* only.

## (NATO UNCLASSIFIED)

NATO Code	UK <sup>21</sup>	US
OR-9	Warrant Officer I <sup>22</sup>	Sergeant Major <sup>30</sup>
OR-8	Warrant Officer II <sup>23</sup>	Master Sergeant <sup>31</sup>
OR-7	Staff Sergeant <sup>24</sup>	Sergeant First Class <sup>32</sup>
OR-6	Sergeant <sup>25, 26</sup> (3 years seniority)	Staff Sergeant <sup>33</sup>
OR-5	Sergeant <sup>25</sup>	Sergeant <sup>34</sup>
OR-4	Corporal <sup>27</sup>	Corporal <sup>35</sup>
OR-3	Lance Corporal <sup>28</sup>	Private First Class
OR-2	Private (or equivalent) (Classes 1-3) <sup>29</sup>	Private E-2
OR-1	Private (or equivalent) (Class 4) <sup>29</sup>	Private E-1



**Note.** The US Warrant Officer is not included in either the 'OR' or 'OF' grade codes. The Warrant Officer is the rank below Second Lieutenant but above enlisted personnel. In the US service a Warrant Officer is afforded the privileges of an officer.

**BE**<sup>-1</sup> In the Belgian Army, personnel in the armoured corps, artillery and transportation corps are known as follows:

- OR-7 Premier Marechal des Logis Chef/Eerste Opperwachtmeester
- OR-6 Premier Marechal des Logis/Eerste Wachtmeester
- OR-5 Maréchal des Logis/Wachtmeester
- OR-4 Brigadier Chef
- OR-3 Brigadier

**CA**<sup>-2</sup> The Army of Canada is referred to as the 'Land Element' of the Canadian Forces.

<sup>3</sup> Equivalent appointments in the Artillery, for other than record purposes, are Master Bombardier and Bombardier.

<sup>4</sup> Equivalents in appropriate units of the Field Forces (but not for record purposes): Trooper Gunner, Sapper, Signaller, Guardsman, Fusilier, Rifleman, Craftsman.

**DA**<sup>-5</sup> OR-9 to OR-4 are non-commissioned officers in the Danish Army.

**FR**<sup>-6</sup> Considered officially as non-officer personnel the rank of 'ASPIRANT' (Reserve Officer Candidate) is placed between those of OR-9 and OF-1. Aspirants are entitled, however, to the same prerogatives as officers.

<sup>7</sup> The term 'Sergent' is replaced in the Gendarmerie, Armoured Corps/Cavalry, Artillery and Train (Transport) by that of 'Marechal des Logis'.

<sup>8</sup> The term 'caporal' is replaced in the Armoured Corps/Cavalry, Artillery and Train (Transport) by that of 'Brigadier'.

## BRd 2

**GE**–<sup>9</sup> There exist three grades of officer-candidates which have the following equivalents:

OR–8/OR–7 Oberfähnrich

OR–6 Fähnrich

OR–5 Fähnenjunker

<sup>10</sup> There exist the following titles which are equivalent for Grenadier in various arms of the Service:

Jäger, Panzerschütze, Panzergrenadier,

Panzerjäger, Kanonier, Panzerkanonier,

Pionier, Panzerpionier, Funker, Panzerfunke,

Schütze, Flieger, Sanitätssoldat, Matrose

(NATO UNCLASSIFIED)

\* Grades listed in this Annex apply to *Army* only.

(NATO UNCLASSIFIED)

**GR**–<sup>11</sup> Equivalent rank of Army Nurse Corps: Anthypaspistis Adelphi Nossokomos

**NL**–<sup>12</sup> Called:

Opperwachtmeester

in the Armoured Cavalry, Artillery and Royal Military Police.

<sup>13</sup> Called:

Wachtmeester der 1e klasse

in the Armoured Cavalry, Artillery and Royal Military Police.

<sup>14</sup> Called:

Wachtmeester

in the Armoured Cavalry, Artillery and Royal Military Police.

<sup>15</sup> Equivalent to:

Marechaussee der 1e klasse

in the Royal Military Police.

<sup>16</sup> Equivalent to:

Marechaussee der 2e klasse

in the Royal Military Police.

<sup>17</sup> Equivalent to:

Marechaussee der 3e klasse

in the Royal Military Police.

<sup>18</sup> Equivalent to:

Marechaussee der 4e klasse

in the Royal Military Police.

**NO**–<sup>19</sup> Sersjant is a national rank held by officer candidates during their duty period.

<sup>20</sup> A korporal could qualify as OR–5.

**UK**<sup>21</sup> Royal Marines ranks are equivalent to those of the Army, with the following differences in titles of rank:

OR-7 Colour Sergeant  
OR-1 and OR-2 Marine

<sup>22</sup> Regimental Corporal Major in the Household Cavalry.

<sup>23</sup> Squadron Corporal Major in the Household Cavalry.

<sup>24</sup> In various corps, titles given may be:  
Squadron Quartermaster Corporal,  
Colour Sergeant, Squadron/Battery/Company  
Quartermaster, Sergeant.

<sup>25</sup> Corporal of Horse in the Household Cavalry.

<sup>26</sup> OR-6 is a sergeant with three years seniority.

<sup>27</sup> Bombardier in the Royal Artillery.

<sup>28</sup> Lance-Bombardier in the Royal Artillery.

<sup>29</sup> There exist the following titles which are equivalent for Private in various arms of the Service:

Trooper, Gunner, Sapper, Signaller,  
Driver, Guardsman, Fusilier, Rifleman,  
Ranger and Craftsman.

**US**<sup>30</sup> At the OR-9 level, other grades of rank are Sergeant Major of the Army and Command Sergeant Major. The individual designated as Sergeant Major of the Army takes precedence over all Command Sergeants Major and Sergeants Major. Command Sergeants Major take precedence over Sergeants Major.

<sup>31</sup> At the OR-8 level, another grade of rank is First Sergeant. First Sergeants take precedence over Master Sergeants.

<sup>32</sup> At the OR-7 level, the other grade of rank is Platoon Sergeant. Platoon Sergeants and Sergeants First Class have equal precedence.

<sup>33</sup> At the OR-6 level, another grade of rank is Specialist Six. Staff Sergeants have precedence over Specialists Six.

<sup>34</sup> At the OR-5 level, another grade of rank is Specialist Five. Sergeants take precedence over Specialists Five.

<sup>35</sup> At the OR-4 level, another grade of rank is Specialist Four. Corporals have precedence over Specialists Four.

(NATO UNCLASSIFIED)

\* Grades listed in this Annex apply to *Army* only.

## **CHAPTER 4**

### **INFORMATION SUPERIORITY – COMMANDING OFFICERS AS INFORMATION ASSET OWNERS**

(MOD Sponsor: FLEET DCS - DPA)

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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## CHAPTER 4

### INFORMATION SUPERIORITY–COMMANDING OFFICERS AS INFORMATION ASSET OWNERS

#### SECTION 1–INFORMATION SUPERIORITY

##### 0401. Introduction–Information Superiority

1. Information is a strategic asset and the way an organisation manages its information is critical to its effectiveness. There are three strands to the effective and efficient use of information; Technology, Process, and most importantly – People. All three are critical to our success in delivering the Naval Service’s contribution to the Defence Information Vision;

*‘Agile exploitation of our information capabilities to improve effectiveness and efficiency on operations and in support areas through access to and sharing of timely, accurate and trusted information’.*

2. The Navy Board has a strategic objective to transform the way we manage, share, present, protect, and exploit information to deliver Information Superiority in the battle-space, efficiency in the business-space, and Information Assurance.

3. Information Superiority is the UK Defence’s Communications and Intelligence Capability. It is about using Technology, Process, and People to provide UK Defence with the understanding it needs, so the right decisions are made, and the right action is taken, at the right time. Joint Doctrine Publication 0.01.1 defines Information Superiority further as;

*‘Possessing a greater degree of information about the battle-space, being able to exploit that information more rapidly and preventing the adversary from obtaining or exploiting information which could give combat advantage’.*

4. In any Naval Unit the Commanding Officer, as Information Asset Owner, is key to the successful achievement of Information Superiority.

## SECTION 2 – THE INFORMATION ASSET OWNER

### 0402. The Commanding Officer as Information Asset Owner

1. Within Navy Command TLB all Commanding Officers and senior NCHQ staff (OF6 and above) have the secondary role of Information Asset Owner (IAO). The IAO is accountable for the risks to an organisation's outputs (including reputation and public trust) that are associated with the use of information, both personal and business-critical.
2. The IAO is responsible for leading and fostering a culture that values, protects and uses information as a strategic asset, and for the public good throughout the organisation and its supporting chain, and for championing best practices to support the above Navy Board objective.
3. The IAO needs to know what information the unit stores and processes, ensuring it does so efficiently and effectively to achieve the organisation's outputs, and in accordance with relevant and extant statutory regulations (e.g. Data Protection Legislation) and departmental and Navy Command policies.
4. Within Navy Command TLB all IAOs are mandated to undertake appropriate Information Superiority training including the 'Responsible for Information – Information Asset Owner' computer-based-training package, on appointment and annually thereafter. They also need to ensure 100% compliance within their organisation for such training in accordance with MOD CIO and Navy Command policies.
5. Information Superiority will not be achieved by an organisation without the leadership and support from the Commanding Officer as an IAO.

### **SECTION 3 – FURTHER READING**

#### **0403. BRd 7747 Maritime Information Management Policy and Guidance**

1. The single definitive source for policy and guidance on Information Superiority and the role of the IAO is BRd 7747 Maritime Information Management Policy and Guidance.



## CHAPTER 5

### SPARE

## CHAPTER 6

### SPARE

## CHAPTER 7

### INSTRUCTIONS TO SENIOR OFFICERS

*(MOD Sponsor: Cdre NS)*

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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## CHAPTER 7

### INSTRUCTIONS TO SENIOR OFFICERS

#### SECTION I-GENERAL INSTRUCTIONS

##### **0701. Unified Commands**

1. Unified Commanders normally command all British forces allocated to their operational area subject to the terms of any directives which may be issued to them. The single Service Commanders in the area exercise command of the allocated Naval, Land and Air Forces under the overall command of the Unified Commander. The Commander of the unified command is nonetheless expected to exercise the oversight and co-ordination necessary to ensure the most efficient functioning of the command and maximum economy in its administration.

##### **0702. Single Service Commanders**

1. With regard to the instructions in this chapter, the term Commander is to be taken to include:

- 1SL and CNS, and subordinate commanders as directed.

##### **0703. General Responsibility of Commanders**

1. Naval Commanders in a unified command are responsible for the full command, training and efficiency of the forces under their command and they are responsible for the administration of their command.

2. They are subject to the terms and directive of the First Sea Lord and Chief of the Naval Staff.

3. Single Service Commanders will be assisted by appropriate staff officers and may delegate to nominated Assistant Chiefs of Naval Staff, Flag and General Officers, such responsibilities that they may consider desirable, authorising them to issue orders and instructions, subject to any prescribed limitations.

##### **0704. War Organization**

1. The PJHQ and JFC is responsible for the preparation of war plans and war orders in accordance with instructions issued by the Ministry of Defence (generally by CDS planning directive) and is to ensure that these are always ready for immediate implementation if so ordered.

##### **0705. Reporting**

1. They are to report when necessary on matters which they consider should be brought to the attention of the PJHQ, JFC and the Ministry of Defence, and at other times in accordance with the delegations of authority given.

#### **0706. Accidents and Serious Defects**

1. When any accident happens which causes entire or partial disablement of a ship for service, i.e. serious fires or when any serious defect is discovered in weapon systems, propulsion or auxiliary machinery, the cause of which is not clear, the senior officer present is to instigate a ship's investigation to be held at once as to the cause of the accident or defect; and a full report with evidence, findings, sketches and digital images are to be forwarded to the superior authority and, if necessary or appropriate, the Ministry of Defence in accordance with **5706**.

2. All aircraft accidents and incidents are to be investigated and reported in accordance with MRP RA 1410 (Occurrence Reporting).

#### **0707. Operational Records**

1. Operational Flag Officers, Commodores and subordinate commanders are to maintain and submit monthly Operational Records for their commands in accordance with BR 9461.

#### **0708. Commanders Absence**

1. Commanders are to formally delegate to subordinate officers in their command to execute their duties in their absence.

#### **0709–0720. Unallocated**

## SECTION II - INSTRUCTIONS RELATING TO SHIPS

### 0721. Notification of Exercises

1. The Commander or senior officer is to ensure that the various authorities concerned (e.g., coastguards, fishery and air traffic control authorities) are notified of any exercises and firing practices, including the laying of obstructions, which they intend to carry out.
2. **Warnings to Aircraft.** Warnings to aircraft of practices constituting an air hazard are issued by air traffic control authorities by Class 1 or 2 NOTAM on the International NOTAM Network in enough time for pilots to take account of it in their flight planning. The notification required to be given to the National Air Traffic Control Service authorities in the UK Flight Information Regions by Commanders and senior officers depends principally on the area in which the firing is taking place, and is shown in BR 1043, *Gunnery and Guided Weapons User Instructions*. These principles are valid throughout the world and Commanders should issue the necessary local orders. The requirements for the notifications and clearance of air exercises are contained in UKAIP/ANO (CAP 393)
3. **Warnings to Shipping.** Warnings to shipping in general regarding firing danger areas and fleet and submarine exercises are promulgated in Annual Notices to Mariners issued at the beginning of each year. These warnings are adequate for normal practices and exercises, but if the practice or exercise is likely to involve unusual danger to shipping (for example, night exercises involving darkened ships, submarines, flares, etc.), or to interfere to an exceptional degree with traffic on busy routes or with fishing activities (for example, mine counter-measure exercises), the Commander is to ask the Hydrographer of the Navy to issue a radio navigational warning and/or Notice to Mariners (a request for a Notice to Mariners should be made at least 21 days in advance). In addition, Commanders are to issue a radio warning and, if necessary, a local Notice to Mariners.
4. **Mine Counter-Measures (MCM) Exercises.** When a special warning is required for an MCM exercise, the area concerned is to be specified and the duration of the exercise stated. When an exercise minefield is laid and has to be cleared, the estimated limits of the area in which the MCM Vessels (MCMV) will be operating is to be given. Special warnings are to be issued for all MCM exercises and the appropriate Ministries with responsibilities are to be informed.

### 0722. Senior Managers Role in Environmental and Safety Management

1. Ships Duty Holders (DH) and senior managers for HS&EP are to ensure they allocate resources to, direct, or advise, meet the requirements for the management of safety and environmental protection as laid down in BRd 9147 and DSA02-DMR Shipping Regulations for Safety and Environmental Protection at all times. Responsibilities shall also include:
  - a. Leading by example to promote a safety climate that engenders safe behaviours, including environmental protection;
  - b. Making available adequate resources, including funding and people, for the safety and environmental tasks that they delegate, so that they are achieved in reasonable time scales;

- c. Ensuring effective arrangements exist to capture feedback and resolve shortfalls relating to safety or environmental issues in management systems, design performance, materiel or operational aspects through-life;
- d. Ensuring effective arrangements are in place for learning from experience which must be based upon a fair and consistent balance between learning and accountability;
- e. Ensuring delegations for safety and environmental protection are established formally and auditable.

2. Duty Holders (DH) and senior managers responsible for HS&EP shall be responsible for ensuring that an effective regime is maintained to control the safety and environmental impact of activities and the material state of MOD Shipping in accordance with DSA02-DMR-MOD. In the conduct of these duties they are to ensure:

- a. Safety cases and environmental cases are maintained for the operation of each ship;
- b. A Command Safety and Environmental Summary is provided for the Commanding Officer Duty Holder of each ship;
- c. Ships are operated and maintained by adequate numbers of suitably qualified and experienced personnel;
- d. Equipments and procedures are not modified in such a way as to prejudice safety or environmental protection;
- e. Ships are tasked and operated in accordance with their safety cases and environmental cases, including the requirements for Naval Authority Certificates;
- f. Emergency arrangements are put in place, documented, followed, understood, tested, monitored and improved.

3. **Operations Outside of the Design Envelope.** Ships or equipments shall be operated within design limits and parameters defined in safety and environmental case reports, support publications, operating manuals and, in respect of ships, command safety and environmental summaries, unless there are extenuating and justifiable overriding operational requirements. If a ship or system has to be operated outside its design envelope, or if the design envelope is not clearly defined for exceptional circumstances, then the Commanding Officer must liaise with the Platform Authority and/or Delivery Duty Holder (DDH)/senior HS&EP manager to ensure that safety and environmental implications are fully considered and residual risk managed effectively.

4. **Operational Tasking.** If the authority to direct the command of a ship or place tasks on its Commanding Officer is to be passed outside the Operating Duty Holder's organisation, the Operating Duty Holder shall ensure that arrangements and responsibilities for safety and environmental protection remain clear.

### **0723. Upkeep and Repair**

1. The Surface Ship Support Alliance (SSSA) has been created to enable industry to deliver Class Output Management (COM) teams who are responsible for the availability of surface ships within the scope of the programme. For ship classes within scope of the SSS Alliance, the COM provides the single point of contact for the end user on routine technical and availability issues; the first point of contact for maintenance of the delivery of Operational Capability should be the Ship Platform Manager within each respective COM. Issues regarding COM service provision and fleet or class wide issues should be taken up in the first instance with the respective SCA Through Life Manager. The COM is also responsible for the timely implementation of changes to the design of in scope ships.

2. For Ships supported by the Commercially Supported Shipping (CSS) team, dependent upon the platform contractual support arrangements, the single point of contact for routine technical and availability issues for CSS platforms is provided by either Waterfront Cluster Support Teams or Contracting for Availability (CFA) delivery teams.

### **0724. Musters and Inspections**

1. Commanders are to ensure that ships and submarines under full command are inspected on completion of Operational Sea Training to provide operational assurance that ships are ready for deployment. This does not preclude Commanders, other Flag and General Officers or Commanding Officers from ordering a special inspection if circumstances indicate that this is appropriate.

2. Except when the Commander or senior officers carry out a personal inspection the Commander is to delegate this duty to an officer under his orders. Routinely this duty will be carried out by FOST who may delegate as appropriate to subordinate staff.

### **0725. Inspection of Royal Marines Detachments**

1. Under the direction of the Commander or senior officer, RM detachments embarked in ships are to be inspected periodically, either afloat or on shore, by the senior (or most appropriate) Royal Marines officer present. No such Royal Marines officer, however, is to inspect a detachment in the charge of an officer of the corps senior to himself.

2. Should the senior Royal Marines officer present be serving in command of the detachment on board the ship inspected, they are nevertheless to inspect and report on the condition of the detachment and of the efficiency of the landing organisation.

3. When there is no inspecting Royal Marines officer at hand, the detachments may be inspected by the senior non-commissioned officer available, whether or not they are in command of the detachment inspected.

### **0726. Responsibilities of Senior Officer Present**

1. The Flag or senior officer present is, in matters relating to ships under their orders at the time, to be guided by the foregoing instructions to Commanders, as well as by the following clauses.



2. They are to frequently exercise their ships. If at any time a ship displays a marked degree of excellence in any department, the name of any officer especially commendable is to be reported. If a ship obtains markedly poor results, an inquiry is to be held into the circumstances, at which the method of training employed and the conditions under which the practice was carried out are to be fully investigated. The report, with the minutes of the evidence and the Commander's remarks on the conclusions, is to be forwarded at the discretion of the Commander.

3. They are to take the closest interest in all ships of the force or squadron which are put under their orders; to see that their crews are properly disciplined; that all orders and regulations are punctually attended to and obeyed; and that the stores are kept as complete, and the ships in every respect are as fit for service, as possible.

4. They are to receive all reports of the state of the ships and of their defects, applications for repair and refitting, demands for stores, representations of the state of their crews or of the misconduct of their officers and personnel, as being responsible to the Commander for the good order, discipline, and efficiency of the force or squadron they command.

#### **0727. Senior Officer at Sea**

1. The senior officer when at sea is normally the Officer in Tactical Command (OTC) and also, when appropriate, the Officer Conducting the Exercise (OCE) but either or both of these duties may be delegated to another officer or officers; nevertheless delegation of either or both of these duties does not absolve the senior officer of the responsibility of exercising an overriding control of the ships under their orders where the situation demands it.

2. The OCE is to issue the necessary orders for the exercise to ensure that safety precautions are observed and that the exercise is properly conducted.

3. The OTC is to be particularly attentive in observing that the ship which carries their flag, broad pennant or pennant, and all the ships under their orders, keep to their station precisely in whatever formation the unit may be; and when any evolution is being performed they are to note closely how the ships under their orders carry it out, and maintain the highest possible standard.

4. They may correct the mistake or negligence of a ship in another unit whenever it is probable that, from their relative stations, the ship cannot properly be seen by the officer commanding the unit to which she belongs or whenever, in the presence of an enemy, the officer commanding the unit, whatever their situation, does not themselves immediately correct such mistakes or negligence.

#### **0728. Speed of Ships and Fuel Economy**

1. Except when operational tasking or exercising necessitates high speed running, or where for other reasons a high speed is necessary, Commanding Officers are to conduct Maritime Security and passage at most economical speed iaw specific platform guidance in BRd 45(7) and CBd2002. On occasion Flag and Commanding Officers may consider that some deviation from most economical speed is justified.

2. Commanding Officers are required to request, with suitable justification, all fuel uplifts, in excess of the monthly platform fuel allocation to COMOPS.

**0729. Assistance to Merchant Vessels**

1. A Merchant Vessel chartered or owned by Her Majesty's Government may require naval personnel to be embarked to perform specific Military related tasks. In such situations, the Master is authorised to apply to the senior officer for assistance. Assistance should be rendered at the discretion of the senior officer and the circumstances reported to the Ministry of Defence and to the Department of Trade (Sea Transport Division), London. (See 3706 on discipline of personnel lent to merchant vessels).

2. When employed on naval service, such vessels may also require naval assistance in connection with repairs, defence, victualing, storing and fitting out for special duties as prescribed in other publications.

**0730. Commission of Ships**

1. When a ship is commissioned as a tender, this is to be stated in the report of commissioning.

2. Ships of the following classes, when in commission, will normally have the status of independent commands:

Aircraft carriers	Destroyers
Amphibious Assault ships (LPH/LPD)	Frigates
Submarines	Ice patrol ships
MCM Vessels	Offshore Patrol Vessels
Salvage ships (when RN manned)	Surveying ships

3. On the commissioning of a ship the Commander is to issue to the duly-appointed Commanding Officer designate a commissioning order, which is to be read to the ship's company on the day of the commissioning.

**0731. Towing Operations by Ministry of Defence (Navy)**

1. Coastal and ocean tows of HM ships, RFAs and other Ministry of Defence-owned vessels are normally arranged by Salvage and Marine Operations Project Team (SALMO) and undertaken by commercial vessels under short term charter iaw 2012DIN04-018: Responsibility for Blue Water Towing and Heavy Lift Transportation.

2. Sponsors requiring coastal and ocean tows are responsible for:

- a. Ensuring that the vessel to be towed is prepared, rigged and ready in all respects for the tow.
- b. Deciding, in consultation with SALMO, whether the ship to be towed, if out of commission should be manned with a towing crew or not.

3. Navy Operations, Northwood or other delegated authority will be responsible for:
  - a. Authorising the tow to proceed and monitoring of its progress and safety.
  - b. Ensuring in consultation with SALMO that a towing conference is convened for major or unusual tows before sailing, which should be attended by the Towing Master, Officer-in-Charge of the towing crew and other main interested authorities/parties.
4. Guidance on MOD tows is contained in QRRN – Chapter 46 Section III paragraph 4631, BR 45 (6)(1) Chapters 5 & 8 and BR 67 Chapter 4 which should be consulted.

**0732 - 0750. Unallocated**

### SECTION III - INSTRUCTIONS RELATING TO SHORE ESTABLISHMENTS

(See also BR 8581, *Management Regulations for HM Naval Bases and other MOD(Navy) Establishments*)



**Note.** Attention is directed to the *Explanation of Terms* on p. xxiii and xxiv which defines naval, fleet, civil and medical establishments.

#### 0751. Naval Establishments Abroad

1. The Commander or senior officer is responsible for the discipline and administration of fleet establishments, being guided by the instructions in **0752.1c**, in their dealings with medical establishments. They are also to have authority and control of the civil establishments within their command in regard to the general transactions of the Service, but they are not to interfere with the management of any of these establishments, unless, in their opinion, a particular and sufficient cause makes it necessary, when he is to report to the Ministry of Defence the nature of the order given and their reasons for interfering. The head of a civil establishment, if they consider that any public inconvenience is likely to arise from compliance with an order given to them by the Commander is to make representations to the Commander stating the objections. If the Commander should still directs the order to be complied with it is to be obeyed without further delay or discussion, the Commander becoming wholly responsible to the Ministry of Defence for the necessity of the measure; but the head of the civil establishment on receiving the order may, if they think fit, send to the Ministry of Defence, with a copy to the Commander, any observations upon it they may wish to submit for consideration.

2. **Absence of Commander.** In the absence of the Commander all the control and authority vested in them under this Article are to be exercised fully and effectively by the Senior Naval Officer present, provided such officer is not below the rank of Commander.

3. **Civil Establishments Abroad Without Superintendents.** The Commander may suspend any officer for misconduct, but they are at once to report in full their reasons for doing so. If the suspended officer is in charge of money or stores they are to hold a survey immediately and to transfer remains to new accounts in order that those of the suspended officer may be investigated properly.

4. **Civil Establishment Vacancies.** If a vacancy should occur among the officers of a civil establishment abroad, or among the civil officers of a medical establishment abroad, the Commander or senior officer is not to fill such a vacancy by appointing an officer from the fleet with an acting order. If, however, because of a vacancy occurring owing to suspension, death or ill health, the temporary services of an officer are urgently needed, a qualified officer from one of the ships under the orders of the Commander or senior officer may, if they can be spared, be lent to the establishment. When this is done the Commander or senior officer is to register their reasons for any remuneration beyond the officer's pay and allowances via JPA.

5. **III Health of Personnel Abroad.** Personnel whose medical conditions can not be managed whilst deployed abroad are to be returned to the UK for treatment on advice of the senior medical officer in charge of the case or on the recommendation of NCHQ Medical Division. Repatriation may be by formal aero medical evacuation or by routine return to the UK for non-urgent conditions.

## **0752. Authority over Naval Establishments in the United Kingdom**

1. Subject to any special instructions issued by the Ministry of Defence, the Commander is responsible for the discipline and administration of fleet establishments within their command, except:

a. **HM Naval Bases (Portsmouth, Devonport and Clyde) and Naval Oil Fuel Depots:** These are the responsibility of the Assistant Chief of Staff Support.

b. **Naval Air Stations and Establishments.** These are the responsibility of the Assistant Chief of Naval Staff Aviation, Amphibious Capability & Carriers (ACNS(A&C)).

c. **Royal Marines Establishments.** The Major-Generals Royal Marines are directly responsible to the Commandant-General Royal Marines for the discipline and administration of these establishments. They maintain the closest liaison with the Commanders and advise them on all matters concerning the Royal Marines establishments which are within their commands.

d. **Medical Establishments.** The Commander is responsible for the discipline and administration of medical establishments within their command, but they are not to interfere in subjects of a purely medical character, or connected with the professional treatment of patients, or in such other matters for which the medical officer of the establishment is directly responsible to the Medical Chain of Command (sS or HQ Surgeon General).

2. **Civil Establishments in the United Kingdom.** These are divided into two classes, operational and detached. Operational establishments comprise establishments which are functionally part of the Commander's command and which exist primarily to meet the operational requirements of the Commander and to support the forces under their orders; establishments in this category include Naval Bases their associated Dockyard Ports and Oil Fuel Depots under the control of ACNS(SPT), victualing yards and store or armament depots at, or closely linked with, ports in command, also RN aircraft yards and workshops in support of ACNS(A&C). Detached establishments comprise research, development and production establishments, detached store and other depots which are functionally responsible to the Ministry of Defence, and exist for the support of the Navy as a whole, irrespective of geographical location. Commanders should promulgate a list of civil establishments in their command giving their classification in accordance with this Clause and particulars of any arrangements made under Clause 7. Copies of such lists and of any later amendments should be forwarded to the Ministry of Defence.

3. **Operational Civil Establishments.** In dealing with operational civil establishments the Commander's position is generally as laid down in **0751** for civil establishments abroad, that is, they have authority and control in respect of the general transactions of the Service but should not interfere with their management or internal organisation, for which the heads of civil establishments are responsible to the Ministry of Defence unless other arrangements are made in particular instances.

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4. **Detached Civil Establishments.** The heads of detached civil establishments are responsible direct to the Ministry of Defence, and the responsibilities of the Commander within whose area they are situated are limited to those indicated in Clause 5, except that they have general administrative control over all naval personnel serving within their command and general operational control over HM ships and other craft which are attached to naval establishments under their control.

5. **Naval Establishments.** In respect of all naval establishments, other than those referred to in Clauses 6 and 7, situated within the area of their command the Commander is:

a. To supervise naval defence requirements, signal communications and passive defence arrangements (other than at Ministry of Defence Headquarters buildings).

b. To be acquainted with and advise Army, Royal Air Force and civil authorities as required on naval activities within the area

And, as may be required:

c. To report on losses which result from fire, theft or damage (Reports on losses which result from theft or damage in detached civil establishments are normally forwarded direct to the Commander when boards of inquiry are held).

The Ministry of Defence will keep the Commander informed of all changes in policy or activities which affect the defence requirements of civil establishments.

6. **HM Naval Bases.** ACNS (SPT) is responsible for carrying out the functions detailed in clauses 3 and 5 in respect of HM Naval Bases. In respect of the responsibilities mentioned in paragraphs 5a and b ACNS (SPT) is to work in close liaison with the commander of the area concerned.

7. **Air Establishments.** ACNS (A&C) is responsible for carrying out the functions detailed in Clauses 3 and 5 in respect of air establishments at home wherever situated. In respect of the responsibilities mentioned in paragraphs 5a and b ACNS (A&C) is to work in close liaison with the Commander of the area concerned.

8. **Ancillary Establishments.** In certain circumstances, the Commander of the area in which a parent establishment is situated retains administrative responsibility for an ancillary establishment located in a different command area. The naval authority of the latter area should, however, be kept advised of activities affecting defence requirements in connection with the ancillary establishment.

9. **Naval Production Organisation and NROs.** The instructions given in this Article do not affect the Ministry of Defence naval production organisation or the responsibilities of Naval Regional Officers. In view, however, of the close contact maintained by Naval Regional Officers with the regional representatives of the civil and supply departments, naval authorities may find it convenient in certain matters to work through, or delegate responsibility to, the Naval Regional Officers.

10. **Civil Establishments General Guidance.** In their relations with civil establishments situated within their sub-command areas, Flag Officers and Naval Officers-in-Charge should be guided by the foregoing instructions to Commanders.

### **0753. Security in the United Kingdom**

1. The Commander Naval Personnel and Second Sea Lord is to co-ordinate the application of MOD security policy throughout the Naval Service in the United Kingdom.

### **0754. Inspections of Shore Establishments**

1. The Commander is to arrange that establishments under their full command are inspected at least once every two and a half years. The inspecting officer is always to be senior to the Captain or Commanding Officer of the establishment to be inspected. They are to be assisted by appropriate staff and specialist officers.

2. When a staff officer is also an officer appointed for duties with the establishment being inspected, they are to obtain where possible the services of a specialist or sub-specialist officer senior to the one being inspected to assist them in that part of the inspection.

3. For colleges and naval training establishments, under their full command, the Commander is to assess the manner in which the training task is being undertaken, including the adequacy of staff, equipment and buildings provided.

4. **Medical Centres.** Inspection of Medical Centres is to be conducted in accordance with the current RN and HQ SG directions for assurance visits and using the current version of the DMS Common Assurance Framework appropriate to the size and role of the unit. Inspections are to be conducted no less frequently than 2 yearly.

### **0755. Civilian Employment Arrangements**

1. The Commander is not to alter any conditions of service or scales of remuneration of civilian employees serving from the United Kingdom or, unless authority to determine such matters has been specifically delegated to them, of locally-entered civilian employees, without prior Ministry of Defence approval, or to create any place or office or add to authorised complements except in accordance with specific instructions or in emergency, in which case details should be reported to the Ministry of Defence as soon as possible.

## CHAPTER 8

### INSTRUCTIONS TO COMMANDING OFFICERS

(MOD Sponsor: Navy Warfare-Maritime ACOS)

This chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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## CHAPTER 8

### INSTRUCTIONS TO COMMANDING OFFICERS

#### SECTION I - SEA COMMAND

##### 0801. The Exercise of Sea Command

1. In exercising sea command, the Commanding Officer is accountable through their operational chain of command to the Admiralty Board for the safe direction and management of all the tasks and functions of their ship and her company. This shall be known as the safe conduct of the ship. (See **0803.1**)

##### 0802. Powers of Delegation

1. The Commanding Officers (CO), in consultation with their Operational Commander may delegate sea command in the event of their long term absence or incapacity. They may also, subject to professional judgement, delegate conduct of the ship in such circumstances as temporary incapacity, short-term absence or for training purposes. To comply with the Standards of Training, Certification and Watchkeeping (STCW) Convention of 1995, when the CO intends to be absent from the ship whilst the vessel is underway (except during cold moves by a Queen's Harbour Master (QHM) (See **1922.3**)), temporary sea command or conduct may only be delegated to an officer possessing both Command Qualification 1 (CQ1) and a Platform Endorsement (PE) for the particular ship type. The CO may delegate Training Conduct to an officer not in possession of CQ1 for training purposes when they remain embarked,. At all times, the officer delegated Training Conduct must, as a minimum, possess an in-date Navigational Watch Certificate, Bridge Warfare Qualification and PE for the particular platform type. All officers are to report to and take directions from the officer with delegated powers as if they were the Commanding Officer.

a. **Additionally for Submarines.** In peacetime, Conduct of a Submarine can only be delegated to an officer who has successfully completed the Submarine Command Course (SMCC). At least one SMCC qualified Officer, who has been appointed to the submarine, is to be on board whenever the submarine is underway.

2. Guidelines for delegation of Conduct are summarised in Table 8-1. It is fundamental that the impact of the absence of the (CO) on the Operational Capability of the unit is carefully gauged. Subordinate Development is a key command responsibility and Commanding Officers are encouraged to seek opportunities to allow suitably qualified and experienced officers to experience delegated Conduct of Command. It is not intended to limit appropriate delegation of this task for training or operational reasons but it is vital that the impact of the absence of the Commanding Officer on Operational Capability is properly assessed and mitigated, so there is a need to keep Fleet Commander informed of longer-term absence whilst the ship is at sea. In all cases where the Commanding Officer will not be remaining in the close vicinity (minutes vice hours) of the Ship, and cannot return at short notice (vide examples at Table 1), the proposed delegation should be discussed first with the DDH (considering the Operating Assurance aspects, including personnel SQEP), and then with FLEET OPS at Northwood (FOO, or DACOS(OPS)), for consideration of Operational Assurance aspects, including potential tasking.

## BRd 2

Such delegation will still be considered for FRE, TAPS, IRF (SM), MT 2/3 (MM) or for any unit held at R2 or higher but subject to a thorough Operational Assurance check including N2 assessment. Fleet OPS – on behalf of COMOPS – will advise the Commanding Officer whether their intention to delegate Conduct is approved and the Ship should then raise a suitably referenced intention signal to include dates of absence and a brief summary of the ship's programme. For those ships with 3-watch manning, where the Commanding Officer is routinely absent, and those at OF5 Command with SASB2 Executive officer appointed no such procedure is necessary but such ships should keep Fleet OPS informed: a signal or e-mail to DFC (copy to FOO) is sufficient.

3. Finally, whilst not wishing to be prescriptive in considering appropriate periods for delegation, Commanding Officers should also take into account a variety of factors inter alia: ease of return, the operational and programme requirements, the availability of HODs/other relevantly qualified and experienced personnel, weather and the qualification of the officer to whom Conduct is to be delegated. Consideration should also be given to the ability of the ship to conduct short notice tasking such as RAS, SAR, towing, SOLAS etc, in the absence of the Commanding Officer. Whilst it is acknowledged that these guidelines may appear to limit prospects for the delegation of Conduct, the intent is otherwise: with planning and careful forethought there should be frequent opportunities for Executive Officers to gain valuable experience of command. Guidelines for delegation of Conduct are summarised in Table 8-1. For vessels alongside the orders at BRd 9467 FLAGO Chapter 12 remain extant.

4. The Commanding Officer may delegate the conduct of navigation (see **1922**) to the Navigating Officer. In delegating this duty, they should take full account of the experience, qualifications, ability and availability of the officer nominated for navigating duties and the degree of supervision which may therefore be required. These factors must be addressed in standing orders or memoranda.

5. The Commanding Officers may delegate the conduct of operations in their ship and other units under their command to the Executive Officer (see **0901**) or to the Principal Warfare Officer (see **1901–1903**) or to the Officer of the Watch in Submarines (see **3007**). The limits of this authority are to be qualified or modified as the Commanding Officer thinks fit, commensurate with the experience of the relevant officers.

6. For further advice, with particular emphasis on navigation matters, see BRd 45 (Admiralty Manual of Navigation) Vol 4.

Table 8-1. Guidelines for Delegation of Conduct.

Circumstances of intended delegation	Qualifications of officer delegated	Action-internal	Action-external	Remarks
CO remaining onboard	NWC/BWC PE	Write Sea Order Book	Nil	Usually conducted for training purposes. CO to be readily available and provide suitable oversight to ensure the safe conduct of the ship.
CO not onboard but in <b>close</b> proximity and able to return at short notice	CQ1 PE	Write Sea Order Book	Nil	eg CO conducting fishery protection boarding or visiting another vessel nearby. A multi-hour helicopter embarkation would fall outside this criteria.
CO not onboard and unable to return to ship at short notice	CQ1 PE	Write Sea Order Book	Discuss matter with DDH and FLEET OPS. Signal intention to FLEET COMMANDER (Info OPCON/SURFLOT).	Will be considered for periods as FRE, TAPS, IRF (SM), MT 2/3 (MM) and when readiness is from R2 or higher only with Fleet Ops mN2 and N2 assessment.

### 0803. Charge of the Ship

1. The safe conduct of the ship at sea is vested by the Commanding Officer in the Officer of the Watch, who alone can have 'charge of the ship'. (See **0809.1b**) The Commanding Officer is to ensure that any person so employed is competent to assume the duties laid down in Chapter 30, holds a valid Navigational Watch Certificate (NWC) and Platform Endorsement (PE), and is in date for the relevant medical tests required by BRd 1750A, *Handbook of Naval Medical Standards*, particularly regarding eyesight standards for Bridge Watchkeepers. Charge of the ship returns to the Commanding Officer at any time they so direct, and automatically should they give any conning order either directly or through another person. In such circumstances the Commanding Officer must ensure that there is a clearly understood division of responsibilities on the bridge.

2. **Officer of the Watch.** The OOW is accountable to the Commanding Officer for the safety of the ship in all its aspects, but is functionally subordinate to the Navigating Officer for the execution of the navigational plan (see **1924–1925**). The full duties of OOWs and their relationships with NO and PWO are laid down in Chapters 30 and 19. These relationships must be amplified by Commanding Officers in their standing orders bearing in mind the experience, training, ability and availability of each. Such orders must also amplify the requirements of **1925.2** to reflect the ship's manning and operational roles.

3. **Delegation of Charge.** In delegating charge of the ship, the Commanding Officers must, in their standing orders, take account of the circumstances in which such charge might be relinquished (see **3001.2**). In particular, the Navigating Officer may require to take charge of the ship and become OOW in the course of pilotage. Additionally there may be circumstances of such urgency (such as imminent risk of collision or grounding) that the Executive Officer, or an experienced Navigating Officer if authorized in Captain's Orders, may take charge of the ship from the OOW without first consulting the Commanding Officer.

4. **Personnel Undergoing Practical Training.** An officer or rating undergoing practical training in the duties of the Officer of the Watch on the bridge of any ship at sea, or in the control room of a dived submarine, who has not yet been awarded their NWC or is not yet considered by the Commanding Officer as being sufficiently competent to be left alone in charge of the ship or submarine, is to be supervised by a qualified officer of experience who whilst not taking the ship or submarine out of the hands of the officer or rating under supervision, except in case of emergency, is to see that all orders given by him are correct and safe. In these circumstances the supervising officer is the Officer of the Watch and the officer or rating being supervised is their subordinate: and is to be known as the Second Officer of the Watch. The duties of the Second Officer of the Watch are as prescribed by the OOW to provide the best assistance appropriate to the situation.

5. **Foreign Naval Officers.** No officer of a foreign navy who may be borne as supernumerary is to be placed in charge of the ship (see **0339** on officers of the Royal Navy borne additional).

6. **Officer of the Watch – Station.** The Officer of the Watch is normally to be stationed at the primary conning position. Where, however, the Commanding Officer deems that the Officer of the Watch can temporarily discharge their responsibilities for the safety of the ship more efficiently from some other station, they may give directions accordingly. The primary conning position in a submarine is the bridge when on the surface and the control room when dived.

7. There may be occasions, for example when proceeding in a fog, when the Officer of the Watch may not be able to obtain sufficient and timely information to accept automatically the responsibility for the ship's safety. When such a potentially dangerous situation exists, the Commanding Officer should be prepared to relieve them of these responsibilities. (See also **3003.4a** and **1925.3**).

8. **Threat of Attack.** When the ship is under threat of enemy attack (or on other occasions such as peacetime exercises) the Commanding Officer may arrange to direct operations through the officer in charge of the operations room. This officer is then to be known as the Principal Warfare Officer. At no time may the Principal Warfare Officer take the ship out of the charge of the Officer of the Watch or absolve them from their responsibilities as laid down.

#### **0804. Succession to Command**

1. Officers appointed to succeed another in command of one of HM ships are, as far as possible, to make themselves acquainted with the state of the ship through briefing from the officer they are relieving. They are to be furnished with a report, prepared by the head of each department, and approved by the officer they are relieving in the command, showing all existing defects in the respective departments.

2. On first appointment Commanding Officers are to make themselves acquainted with the machinery, weapons and equipment of their ship, with the extent and nature of any repairs or refit the ship has recently undergone, and with all the facts necessary to give them thorough knowledge of the ship's capabilities. They are to visit her throughout with the appropriate departmental and specialist officers. In ships and submarines under construction, they are to be accompanied by members of the Integrated Project Team (IPT) and Prime Contracting Organisation (PCO) Staff. Commanding Officers are to be furnished with such general information in regard to the ship and equipment as they may require.

3. Should they be dissatisfied with the general state of the ship, or any part of her, they are to report the matter to the Fleet Commander or senior officer.

4. Formal reports of commissioning or of a new officer assuming command are no longer required unless dissatisfied with the general state of the ship. Fleet Commander is to be signaled to provide notification of succession of Command.

5. When a Commanding Officer is superseded, they are to ensure that their successor is fully involved in any planning for missions that are to occur after the succession.

6. When a Commanding Officer is superseded, they are to transfer to their successor the originals of all unexecuted order.

#### **0805. Captain's Orders**

1. Commanding Officers are to keep a Sea Order Book. This publication gives instructions to officers concerning the conduct of the ship, operations and navigation, etc. during specific periods of time. Normally this will be in the night watches; equally the Commanding Officer is to write their Sea Order Book on the occasions that they delegate conduct of the ship to their Executive Officer or other Officers.

## **0806. Stability and Structural Strength**

1. All HM ships are issued with a Stability Statement, the purpose of which is to assure Commanding Officers that their ship has satisfactory stability both in the intact and damaged state. The Commanding Officer is to ensure strict observance of any restrictions on the stability statement regarding the working of fuel, salt water ballast and other liquids. Information regarding the jettisoning of topweight and conduct in severe weather and icing conditions can be found in BRd 2170(1) Damage Control, BRd 67 Admiralty Manual of Seamanship, Brd 3000 Marine Engineering Manual, DBR 3009 Naval Oils Manual, MEDSOs Chapter 3 and associated confidential books.

2. In addition to a Stability Statement, HM surface ships are issued with a Certificate of Safety – Structural Strength. The purpose of this certificate is to assure the Commanding Officers that their ship, in its undamaged state, meets satisfactory structural safety standards and can safely perform her operational duties. Specific structural shortcomings will be noted on the certificate along with any operating restrictions to be exceeded only when they deem it imperative in an emergency.

## **0807. Loss of Ship**

1. If a ship is wrecked or otherwise lost or destroyed, the Commanding Officer or senior surviving officer is to endeavour to preserve the lives of the crew; and when as many of them as possible have been saved, they are to make every attempt to save the confidential books and fittings, stores (particularly armament stores which are classified or useful to terrorists), provisions and portable equipment. If confidential books and fittings, etc., cannot be saved, they are, if possible, to be destroyed to prevent them falling into improper hands. This especially applies to a vessel wrecked on a foreign coast.

2. **Classified Documents.** Commanding Officers are personally to take special care to prevent all cryptographic matter, secret orders, signals and instructions falling into improper hands. Unless their safety is assured, they are to ensure that all secret documents are burned and all mechanical cryptographic material rendered unrecognizable and useless, either by explosive charge or smashing e.g. with a heavy hammer and disposed of overboard.

3. **Passage Arrangements.** They are to deploy the crew in the manner most conducive to their comfort and to economy that the circumstances permit, but as the Ministry of Defence is, generally speaking, in the best position to make arrangements for the passages from abroad of officers and ratings, and the freight of stores, the Ministry of Defence (DGDA Acs 8 B/D) is to be consulted before action is taken to send home the ship's company and stores. They are to place sufficient guards over the stores and provisions saved to prevent their being embezzled. They are to keep the crew together and to maintain discipline at all times.

4. **Lists of Survivors; Ratings Retained, etc.** Where a vessel is actually sunk, or is stranded, and salvage operations are abandoned, a list of the survivors should be made and the crew kept together as far as possible, pending the holding of a board of inquiry or court-martial. The ship will be paid off as soon as possible after the court-martial or when the main body of her crew arrives in the United Kingdom, whichever is the later.



Any ratings who may be retained for the purpose of guarding stores, or any other necessary purpose, should be transferred to the books of a convenient ship or establishment as from the date on which the main body of the crew leaves for England, and the Logistics Officer or a responsible officer is to arrange for payments to be made to the ratings as necessary.

#### **0808. Action Information Organization**

1. Commanding Officers are responsible that the Action Information Organization fulfils efficiently the following functions:
  - a. Presentation of the available information on the surface, sub-surface, air and adjacent land situations to the command so that the ship or unit may be fought to the best advantage.
  - b. Provision to Officers of the Watch of such available information as they may require for the safe handling of the ship. (See also Chapter 19, Section I).
2. They are to make certain that procedures are in place to ensure that all relevant Reference Information including charting and geospatial products, unit and equipment parametric data, operational publications and documentation and encyclopaedic data utilized within command systems, mission planning systems and command support systems are available to the Action Information Organisation and kept updated.
3. The quality, reliability, provenance, currency and intended purpose of all information must be fully understood and considered by all relevant personnel. This is particularly important where ostensibly similar information may be presented in a number of different formats or within different information products or systems. Specifically, when making operationally-critical decisions, such as those related to navigation, targeting or engagement, Commanding Officers shall satisfy themselves that these are being made on the very best available information. For navigation or geospatial factors (such as Territorial Waters), this will normally be that presented on the ships primary navigation system (see 1903.3).

#### **0809. Definitions of Terms**

1. The definitions in this article relate to terms used in Chapters 8, 19 and 30, specifically the purpose, accountability and authority of Commanding Officers, Navigating Officers and Officers of the Watch in relation to the safe conduct of the ship at sea.
  - a. **Conduct.** The direction of a team or management of a series of tasks in the performance of a function, e.g. conduct of the ship, conduct of navigation, conduct of operations. Conduct includes planning and may include execution.
  - b. **Charge of the Ship.** The authority delegated by the Commanding Officer or the officer to whom command or conduct has been delegated, to the OOW for the safety of the ship at sea.
  - c. **Navigation.** The process of planning and executing the movement of ships from one place to another. Navigation includes ocean and coastal movements and pilotage, giving due consideration to problems of ship handling and collision avoidance.



- d. **Pilotage.** Navigation involving frequent or continuous determination of position or a line of position relative to geographic points, and usually requiring the need for close attention to the vessel's draught with respect to the depth of water. It is practised in the vicinity of land, dangers, and navigational hazards.
- e. **Control.** The action of a functional superior in issuing instruction and guidance in a clearly defined professional field.
- f. **Planning.** The predetermination of actions involving people and resources as an integral part of conduct.
- g. **Execution.** The act of putting into effect (the navigation plan, Captain's orders etc.).
- h. **Conning.** The act of giving wheel, hydroplane or engine orders.
- i. **Advising.** The act of providing information to assist the recipient in making a decision.

#### **0810. Instructions for Submarines with the Submarine Command Course (SMCC) Embarked**

1. SMCC encompasses the training and assessment of all elements of submarine Command and includes frequent and protracted periods of high intensity tactical training. Because of the unique nature of the course, it remains imperative that a clear delineation between trainees and those holding safety responsibilities is observed at all times, that the Officer with Conduct and Officer with Charge are clearly identified and that they fully understand the particular duties and responsibilities that they hold. Full details of the safety arrangements for units hosting SMCC, including the composition and function of the SMCC Safety Cell, are contained within BRd 9275(3) Chapter 18, which is to be read and applied in conjunction with this article.

2. Sea Command (see **0801**) shall at all times remain with the Commanding Officer of the submarine. Conduct (see **0802**) may be delegated to the Executive Officer of the host submarine during SMCC.

3. The Commanding Officer of the SMCC (COSMCC), is not required to take Conduct of the host submarine at any time during SMCC. In the specific circumstance that Visual Safety training is conducted on a T-Class submarine, COSMCC is permitted to take Charge of the submarine to allow for safe execution of this training evolution only. In this instance, the Commanding Officer is to take measures to satisfy him/herself that COSMCC is in all respects qualified to discharge this duty and holds the necessary platform endorsement. When holding Charge COSMCC will assume the responsibilities of the OOW (see **0803.2**) for the safety of the ship. When COSMCC has Charge, the submarine's complement OOW is relieved of their responsibilities, although they should continue to provide an advisory service to COSMCC.

4. SMCC Students are not required to take Charge of the submarine in order to execute tactical missions and are not permitted to do so at any point during SMCC. SMCC students, whilst under training may take the Con (**0809.h**) and also advise (**0809.i**) the OOW in their capacity as Duty Command Officer or Attack Co-ordinator, to best simulate the relationship between the CO/XO and the OOW for training and assessment purposes. In both of these circumstances the OOW retains Charge and full responsibility for the safety of the submarine in all its aspects as detailed at **0803.2**. If the OOW has any concerns with respect to the actions of a SMCC student, or if there is any disagreement between the Officer with Charge

and the Officer with the Con, this situation is to be immediately brought to the attention of the Officer with Conduct and the Commanding Officer.

5. SMCC includes periods of demanding navigation and high intensity tactical training, therefore the CO is to ensure that such measures as are necessary are in place, including the standing to of the Submarine Command Course Safety Cell when appropriate, to guarantee the safe navigation and operation of the vessel at all times.

6. Officers embarked for the purposes of the SMCC are not to form part of the order of command (See **0335**).

**0811–0820. Unallocated**

## **SECTION II - GENERAL INSTRUCTIONS**

### **0821. Fleet, Station and Port Orders**

1. On commissioning, and during the commission on arrival from sea, the Commanding Officer is to take care to obtain, or complete, from the office of the Fleet Commander or senior officer copies of the standing orders of the fleet, station or port as appropriate.

### **0822. Monthly Unit Record (Formerly Reports of Proceedings)**

1. The Monthly Unit Record (MUR) is the key means by which a historical account is produced of Fleet activity. Content, submission instructions and internal Fleet HQ staffing has been rationalised. The MoD Naval Historical Branch is the custodian of the Naval corporate memory and is charged with collection and retention of appropriate records. MURs and Operational Records are required by the MoD in order to provide an unbroken record of Royal Navy activity for policy, procurement and legal purposes. Together with Ship's Logs they are specified in the Public Records Act as documents required for permanent preservation. Gaps in, or incomplete, MURs are creating increasing resource implications through payments of compensation when cases cannot be contested due to lack of accurate record keeping. Gaps also prevent the Royal Navy from demonstrating its record of achievement and activity in order to influence Defence policy and procurement.

2. Detailed instructions for the compilation of MURs are specified in BRd 9461. Operational and Historical Record Keeping Policy for Naval Service. Commanding Officers should note that all relevant material below Top Secret Strap 3 must be included in their MURs.

3. MURs are required from all operational units and staffs of the Naval Service, including all Battlestaffs, HM Ships, Submarines, Squadron Commanders, FAA Squadrons, Commando Units, RFAs and Naval Parties. Deployed staffs are to issue co-ordinating instructions for the units under their command, however this does not remove the requirement for individual units to submit MURs. Post Operations Reports should be submitted in accordance with the Operational Directive.

4. These instructions do not remove the responsibility to submit records as required by other authorities for Weapon firings, Incidents, Exercises and Trials.

### **0823. Captain's Rounds**

1. The Commanding Officer is to visit periodically all machinery spaces, as well as all other ordinary accessible parts of the ship.

### **0824. Inspection of Books and Records**

1. The Commanding Officer is to ensure books and records are kept and inspected in accordance with BR 9467 *FLAGO Article 0715*.

## **0825. Education**

1. Responsibility for the education of their ship's company of all ships and establishments rests with Commanding Officers. Detailed instructions including resettlement training are contained in BRd 3, *Naval Personnel Management* and JSP 534 *Tri-Service Resettlement Manual*.

### **J.0826. Resettlement on Retirement or Discharge**

1. The resettlement service is designed to give assistance to all officers, ratings, soldiers and airmen with their resettlement in civilian life. Details of the service are given in BRd 3 and JSP 534 and any further information required may be obtained from Service educational authorities.

2. The resettlement service:

- a. Provides for all ranks information and advice on all matters affecting their resettlement.
- b. Emphasizes the need to prepare for eventual return to civilian life by use of the educational and training facilities provided during service life and after leaving the Service.
- c. Provides personal resettlement interviews for officers, ratings, soldiers and airmen.

3. Commanding Officers are responsible for ensuring that information and advice on all aspects of resettlement in civil life are available to all ranks at any time during their service.

### **0827. Service in the Same Establishment as a Spouse, Civil Partner or Near Relative**

1. As a general rule, naval personnel should not be employed in the same establishment as a spouse, civil partner or near relative if:

- a. One is an officer and one a rating.
- b. Both being ratings, there is a great difference between their rates.
- c. Their work is such that they are likely to be brought in touch with each other in carrying out their duties.

2. When it is not possible for a husband and wife, or Civil Partners to be employed in the same establishment, endeavour will be made to appoint or draft one party to a nearby establishment, but this cannot be guaranteed.

3. It must be clearly understood that the interests of the Service take primary consideration in this situation. A Commanding Officer may represent to the career management authority any case which appears to contravene this instruction.

## **BRd 2**

### **J.0828. Testimonials**

1. The publication of laudatory orders when an individual leaves their ship, establishment or unit, or when they relinquish an appointment is forbidden.
2. Written testimonials may be provided by Commanding Officers and other senior officers only at the request of those who are about to leave the Service or have recently left it. In this connection, attention is drawn to BRd 3, *Naval Personnel Management*.

### **0829. Operational Deployment of Naval Personnel Under 18 Years Old**

1. The UK Government is a signatory to the Optional Protocol II to the UN Convention on the Rights of the Child, which requires member States to take all feasible measures to avoid direct participation in hostilities by personnel who have not yet attained the age of 18. However, this would not exclude the deployment of naval personnel under the age of 18 to take a direct part in hostilities in the following circumstances:
  - a. there is a genuine military need to deploy their unit or ship to an area in which hostilities are taking place; and
  - b. by reason of the nature and urgency of the situation it is not practicable to withdraw such persons before deployment; or to do so would undermine the operational effectiveness of their ship or unit and thereby put at risk the successful completion of the military mission and/or the safety of other personnel.
2. The overarching principle is thus to avoid direct participation in hostilities by such personnel whenever possible. Further guidance to Commanding Officers is set out in BRd 3.

### **0830. Operational Capability Assessment**

1. Commanding Officers are to ensure Operational Capability Assessment is conducted at an appropriate range facility in accordance with the periodicity detailed in BRd 9463 Art 0804.

### **0831–0840. Unallocated**

## SECTION III - ORGANIZATION

### 0841. Unit Establishment

1. The established number of officers and ratings in a ship under various conditions is laid down in the Unit Establishment List (UEL), copies of which are supplied to the Commanding Officer. The Commanding Officer is to take care that any amendments issued subsequently are noted immediately in all copies.

### 0842. Divisions

1. The RN Divisional system under the Commanding Officer and Heads of Department, is an integral part of the chain of command for the management of the ship or establishment, as well as being an organization to ensure the training, advancement and welfare of the ship's company. Divisions should therefore be organized on functional lines, i.e. the officer who supervises a rating's work should be the Divisional Officer (DO). However, when there is need for continuity in cases of ratings liable to change their jobs frequently, they may be allocated permanently to one DO.

2. The CO is to organize the ship's company, exclusive of the Royal Marines, into Divisions, and is to appoint an officer in charge of each Division, who is to have under their orders as many other officers as necessary to ensure that all junior officers are involved in divisional work. There is no objection to a Warrant Officer (1<sup>st</sup> or 2<sup>nd</sup> Class) or CPO being made a full DO for ratings where the organization lends itself to this, but it must not be done at the expense of providing divisional experience to young officers. All DOs are to have completed the Divisional Officers' Course prior to assumption of their duties.

3. The CO is to delegate command and responsibility to each DO to the fullest extent possible, and is to see that each one conforms to the instructions for DOs (Chapter 18). He or she is to encourage the officers and senior ratings of Divisions, on whose zeal and capability the efficiency of junior ratings depends, to take a keen interest in the training, advancement and welfare of the ratings under their charge.

4. Divisions should, as far as is practicable, be organized so that no DO should have more than fifteen ratings in their Division. Each Division is to have at least one Divisional Senior rate (WO1, WO2, CPO or PO), who must be assigned to the task and be directly responsible to the DO. Divisions may be divided into sections according to the duties of the department, under the Divisional Senior Rates.

### 0843. Religious Observances

1. **Church Service.** In the spirit of the historical Articles of War, Commanding Officers are to ensure that Sundays are marked by the observance of public Christian worship. Resources are provided by Chaplain of the Fleet's office. The regulations regarding work on Sundays (see 7504) are to be applied to major Holy Days (Good Friday and Christmas Day).

2. **World Faiths.** Except in emergency, or where operational requirements absolutely preclude it, the Commanding Officers are to ensure that time is set aside for officers and ratings to conduct religious observance according to their religion or belief.

**0844. General Duties**

1. Commanding Officers are to arrange the day-to-day general duties of the ship or establishment so that all personnel bear their share as far as departmental responsibilities of the different branches permit and so that necessary work out of normal working hours, whether departmental or general, is shared as evenly as possible.
2. They are to take care that officers and senior specialist ratings responsible for the efficient operation of the various quarters are not employed on work which is detrimental to their special duties, and that the employment of ratings and Royal Marines on general duties is governed by the necessity of ensuring that the fighting equipment is maintained in an efficient state.
3. In HM ships the additional tasks of general ship cleanliness, storing and ammunitioning ship in harbour, and assistance with general evolutions at sea are to be apportioned between departments according to the following criteria:
  - a. The number of eligible ratings available within each department at the time.
  - b. Other essential departmental tasks required to be carried out concurrently.

**0845. Communal Duties**

1. Communal duties in HM ships are to be undertaken by all departments in proportion to the total number of ratings allowed.
2. A list showing the assessed communal duties for which allowance is made will be included in the Quarter Bill for each ship. Provision of the full allowance will be subject to the availability of accommodation and it will not always be possible to provide the full number of personnel for the prescribed tasks.
3. The Commanding Officer is to ensure that the employment of ratings on communal duties is not detrimental to their efficiency in the specialized duties of their own branches or categories and their future prospect of advancement. The period spent on communal duties should not normally exceed a total of 6 months during a period of 18 months (employment of FAA technical ratings is subject to the provisions of AP(N) 140, Article 2801, paragraph 3). This period may be exceeded by volunteers for particular duties requiring special training, e.g. laundrywork. To ensure that ratings do not undergo more than their fair share of such duties the periods during which they are employed full-time on communal duties are to be recorded together with duties performed.
4. No allowance will be made in the assessed communal duties for mess decks, flats and heads and bathroom sweepers, and such duties shall be undertaken by all departments.

**0846. Promulgation of Orders**

1. Commanding Officers are to take care that copies of any new orders concerning the ship's company are displayed in some accessible place for at least a week.
2. When such orders affect particular duties they are to ensure that the ratings concerned are thoroughly instructed in them by the appropriate officers.

**0847. Watch and Station Bill and Quarter Bill**

1. As stated on the Quarter Bill, one copy of which is supplied on commissioning, the stationing of the ship's company at any degree of readiness is the responsibility of the Commanding Officer. The Commanding Officer is to cause the Watch and Station Bill or Station and Fire Bill to be completed and used as far as applicable to the ship. They are to be distributed as necessary to ensure maximum efficiency, the officers to whom they are issued being responsible for keeping them corrected and for transferring them to their successors on leaving the ship. *See also 0902.*

**0848. Libertymen**

1. An 'open gangway' should normally be allowed whenever leave is given in shore establishments and in ships alongside at naval and commercial ports at home and abroad. No restrictions should be placed on this privilege, except those necessitated by local conditions, such as security considerations. At naval ports, local orders should prescribe the times between which 'open gangway' is allowed, and any special local restrictions upon the privilege. At commercial ports the senior officer present should consult the local authority concerned and impose such restrictions as may be necessary. *See also 3424.*
2. Commanding officers are to ensure:
  - a. That their ships' companies understand that any abuse of this privilege of 'open gangway' by smuggling or similar offences may cause the privilege to be withdrawn from the ship or establishment or, if abuse is widespread, from all ships alongside or establishments in the port.
  - b. That libertymen are warned that they must proceed directly to the gates and are forbidden to loiter, enter workshops, or interfere in any way with dockyard work.
  - c. That adequate arrangements are in force at all times to ensure that only those entitled to proceed ashore do so; this is not a matter for which the Ministry of Defence Police have any responsibility.
3. It is at the discretion of the Fleet Commander whether the privilege of 'open gangway' should be given to ratings undergoing Phase 1 and Phase 2 training or whether a system of 'liberty boats' should be adopted for such ratings. 'Open gangway' should normally be allowed to the permanent complement, instructors and any other ratings under training in such establishments.



**0849. Health Precautions and Health Promotion**

1. The Commanding Officer is to ensure that all personnel understand the importance of personal health and hygiene and that adequate facilities are provided to ensure high standards are maintained. They are to ensure that all necessary measures detailed within QRRN para **1506** and Chapter 62, JSP 456 Vol 3, Defence Catering Manual – Food Safety Management, JSP 375 – MOD Health and Safety Handbook, BRd 820, Potable Water Management, BRd 9467 Chapters 19 and 26, and BRd 1991 Instructions for the RN Medical Service are taken to safeguard the health of all personnel and to prevent disease.
2. The Commanding Officer is to ensure that all possible precautions including the deployment of rat guards to all lines/cables, are taken to prevent the entry of rodents or other disease carrying pests into the ship and in consultation with Base Port Environmental Health Personnel, endeavour to exterminate such pests found onboard using approved Pest Control Operators.
3. Whenever it becomes necessary to improvise accommodation for personnel ashore or afloat, the Commanding Officer is to request the opinion of Base Port Environmental Health Personnel prior to implementing the proposed improvisation.
4. The Commanding Officer is to ensure that a Unit Health Committee is established in accordance with the guidance and Terms of Reference enclosed with the Naval Service Executive Health Promotion Campaign Plan. They are to encourage their personnel to lead a healthy lifestyle with particular emphasis on smoking cessation, reducing alcohol consumption, healthy eating and regular physical exercise. They should also cultivate a culture of well-being through the implementation of the Armed Forces policy on Weight Management and well structured information campaigns to advise personnel on health issues such as sexually transmitted diseases and mental health.

**0850. Physical Development (Physical Education, Adventurous Training and Sport)**

1. The Commanding Officer is to encourage the promotion and organization of Physical Development (PDev) activities on a broad and balanced basis to allow all personnel the opportunity for full participation. As a key enabler of Operational Capability, PDev activities, including compulsory attendance at Physical Training sessions, are to be regularly programmed within the Unit's schedule in accordance with the Armed Forces Physical Education policy and the Navy Board's intent to adopt the culture of 'time for PDev'.
2. The Commanding Officer is to ensure that all personnel are in date for the Royal Naval Fitness Test (RNFT) and those who fail the test undergo a remedial training package prior to retaking the test. The retention in the Service of those personnel who persistently fail the RNFT is to be reviewed and where insufficient effort or poor attitude to the maintenance of physical fitness is found to be the cause, application should be made for the individual concerned to be administratively discharged.
3. The Commanding Officer is to actively encourage personnel to undertake Adventurous Training, and consider the benefits of directed Adventurous Training for selected individuals or groups to enhance Unit Operational Capability.

4. Selection for the Combined Services, the Royal Navy or a command area representative team should be regarded as a high priority. Permission to participate should only be refused to those selected when Service requirements are overriding and this decision should normally be taken by the Commanding Officer. The Command should ensure the Unit teams participate in Navy Cup competitions whenever possible.

5. Attention is drawn to para **8721** regarding duty-status when undertaking sporting and recreational activities.

#### **0851. First Aid Training**

1. The Commanding Officer is to ensure that a sufficient proportion of the ship's company is trained in first aid in accordance with the provisions of **7703**.

#### **0852. Posting Sentries**

1. The Commanding Officer is responsible that when a sentry is posted, the officer or rating posting the sentry defines clearly the purpose for which they are posted and the extent of their post.

2. When the sentry is armed and ammunition is issued to them, their orders are to be read to them at the beginning of their watch. These are to be in writing and are to follow the model orders in BRd 8988, *The Naval Manual of Military Training Operations and Tactics*, Chapter 1; they are to include precise instructions regarding the loading and use of firearms, the accounting for ammunition and the sentry's posting and relief.

#### **0853. Working Parties**

1. The Commanding Officer is to take care that detached working parties are placed in the specific charge of an officer or senior rating as appropriate, assisted as necessary by an adequate proportion of other more junior officers and leading ratings or above. When Royal Marines form part of a detached working party, a non-commissioned officer is to accompany them if possible.

#### **0854. Commanding Officer's Responsibilities for Health, Safety and Environment**

1. A Commanding Officer is delegated the responsibility by the FLEET COMMANDER, as the Senior Manager for safety and environmental management for safe operation of the ship, exercising the duty of care to the crew, all others onboard, third parties and the environment, unless the platform is formally transferred to another authority. The Commanding Officer meets these responsibilities for safety and environment by the establishment, maintenance and practice of suitable safety and environment management arrangements onboard in accordance with Standing Orders, Books of Reference, Joint Service Publications and operating procedures.

2. Commanding Officers are required to ensure that their safety management organization and arrangements and responsibilities in accordance with JSP 430 Management of Ship Safety and Environmental Protection are clearly defined in writing and reflect their relationship with the Operating Duty Holders Safety and Environment Management System (BRd 9147), BRd 167 Safety, Health and Environmental Manual (for RN vessels) and BRd 875 Regulations for RFAs.

## **BRd 2**

3. Commanding Officers are to ensure that the operating envelope, safety instructions and operating procedures received from Platform Duty Holder and Equipment Authorities are understood and that these instructions and procedures are fully implemented.

4. Where there are occasions, caused by extenuating circumstances or emergent operational requirements, when the Commanding Officer is required to operate outside of the operating envelope (i.e. activities or procedures not covered by the design safety case, operating procedures or instructions) the Commanding Officer shall consider the safety and environmental risks that may arise as a consequence of that decision, in consultation with the relevant Operating Duty Holder Focal Point and Platform Duty Holder, through a suitable and sufficient risk assessment. As the Commanding Officer and Operating Authority are jointly accountable for such decisions, the decision mechanism and justification for a course of action should be documented wherever possible.

5. Commanding Officers are to ensure that shortfalls in the safety or environmental performance of the design, material state or operating procedures are notified to the relevant Operating Duty Holder Focal Point and Platform Duty Holder as soon as is reasonably practicable.

**0855–0860. Unallocated**

**SECTION IV - LOGISTICS DUTIES**

(See also Chapter 12)

**0861. Public Money**

1. Commanding Officers are responsible for verifying the balance of public money in the hands of the Logistics Officer and are to comply with the detailed instructions contained in JSP 891 Imprest, Accounting, Banking and Control Accounts Manual, JSP 462 Financial Management Policy Manual and the Naval Service Sub Imprest Accounts (Contingent Accounts) Guide which define their responsibilities in regard to demands for money, banking accounts, approval of payments and receipts. (see also **1204**—Logistics Officer (Cash)).

**0862. Payments Made Under Commanding Officer's Authority**

1. Payments for services not immediately connected with the Logistics Officer's duties will be allowed on the production of satisfactory vouchers, but the amounts will be charged against the Commanding Officer should there be any irregularity or deficiency in the vouchers attributable to them, or should they have sanctioned an excessive or improper expenditure.

**0863. Persons Authorized to Pay and Receive**

1. Only an officer of the Logistics specialization or other properly delegated officer is normally authorized to make payments or to receive unpaid money or moneys for banking, discharges, safe custody, and other purposes; monetary transactions with any other person, except as is hereinafter indicated, will not be recognized and will be at the officer's or rating's own risk.

2. The Logistics Officer may, with the Commanding Officer's approval, delegate authority as laid down in JSP 891/JSP 462/ Naval Service Sub Imprest Accounts Guide to those personnel who are required to pay and receive public money in the performance of their duty.

3. Commanding Officers are to ensure that money transactions are conducted only by strict Service methods. They are to ensure in addition that positions of those officers and ratings/RMORs authorized to pay and receive moneys under Clauses 1 and 2 are also detailed in CSOs, LDSOs and Temporary Memoranda as appropriate.

**0864. Service Funds**

1. The operation of all Service Funds within ships or establishments is to be authorised by the Commanding Officer, who is responsible for their initiation, conduct and audit as laid down in BRd 0018 Management and Accounting Instructions for Non-Public Funds, CSOs, LDSOs and Temporary Memoranda are to list all authorised Service Funds and Bank Accounts within the unit.

## **0865. Stores**

1. In regard to their general responsibility for the demand, custody, survey and issue of stores, Commanding Officers are to be guided by the instructions in Chapter 12 of these Regulations, JSP 456 Defence Catering Manual, Defence Logistics Framework (DLF) and such other special instructions as may be issued.

2. When officers in charge of stores are to be relieved, Commanding Officers are to ascertain whether their accounts have been kept in accordance with the regulations and are complete. Should this not be the case, they are to report the circumstances to the administrative authority.

3. The Commanding Officer's approval is required on all surveys of stores or equipment. Should they dissent from the recommendations of the surveying officers, they are to state their reasons either on the report or by separate letter.

4. Powers of Write Off for items damaged or lost are formally delegated to the Commanding Officer by letter.. If after a Loss investigation it is deemed necessary to re-imburse the Crown, only the Commanding Officer can charge an individual in accordance with the regulations detailed in the Armed Forces Act 2006 Sections 342(4) and 367(1).

## **0866. Logistics Officer's checks and controls**

1. Commanding Officers are to satisfy themselves, that all aspects of the Logistics Department are being conducted in a correct and efficient manner: this is best achieved on a routine basis by utilising the Command Logistics and Sustainability Report (CLSR). Commanding Officers should have the CLSR presented to them on a fortnightly basis at a minimum. An occasional inspection of the Compliance Management Tool Action Grids and annual inspections of Logistics Compartments will also assist assessment of the overall state of the Logistics Department. Specific duties of Logistics Officers and officers carrying out Logistic duties are laid down in Chapter 12.

## **0867. Contractual and Commercial Propriety in the Provision of Port Services**

1. The Royal Navy has been using a contractor to provide port services since 1999. The current version of the contract is the PMLSSC and the current contractor is Multinational Logistics Services (Overseas) Ltd (MLS). The Fleet Logistics Coordinator (FLC) is the nominated Contract Manager; with day-to-day management of contractual issues managed by Deputy Fleet Logistics Coordinator-A (DFLC-A).

2. A recent legal case, resulting in an Arbitration Hearing at the International Dispute Resolution Centre, London, highlighted the fact that members of a Ship's Company were in effect entering into a contractual relationship with a specific supplier of services by signing forms believed only to be a simple acknowledgment of the receipt of the service. The fact that an officer signs such a form legally demonstrates that they have 'ostensible' authority to do so, regardless of the fact that they have no 'actual' authority to do so or that the PMLSSC contractor, or its local agents, arranged and paid for the services. The signing of such forms completes the 3rd stage of a contractual process and therefore makes MOD and not the PMLSSC contractor liable for the financial implications.

3. No member of the Royal Navy, serving on a ship, submarine, or any other unit, is authorised to contract for services; nor are they authorised to enter into a contractual

negotiation or sign a contract that places any liability on the MOD. For the PMLSSC, the Nominated Point of Contact (NPOC) is the only member of a Ship's Company authorised to demand services from the PMLSSC contractor and even he/she is not entering into a contractual relationship with suppliers in doing so. For the provision of port and other logistics support services under this contract; the PMLSSC contractor alone acts as principal in all dealings on behalf of the Royal Navy.

4. It is the responsibility of the Commanding Officer/Officer in Charge to ensure that the direction contained in BRd 2002 is adhered to at all times, but specifically:

a. Maintain commercial and contractual propriety by ensuring that:

(i) Only the NPOC demands services and not, for example, the VLO.

(ii) Royal Navy personnel are vigilant when dealing with shoreside service providers to ensure that the content and purport of documents signed as acknowledgement of services rendered are no more than that. If any doubt exists, the signature should be annotated with the following comment:

Signed to acknowledge receipt of services only,  
no contractual commitment actual or implied.

(iii) Any documentation that appears to be a contract, or an agreement, or contains/refers to any form of terms and conditions is referred to the local agent to deal with.

b. Retain responsibility for financial diligence in the practical application of this contract.

5. Some supplementary detail is in Chapter 12 (Logistics Officers) and full details are contained in BRd2002.

**0868–0880. Unallocated**

## SECTION V - WEAPONS AND WEAPON SYSTEMS

### 0881. Readiness for Operations

1. Commanding Officers are to keep their ships at such notice for operations as is dictated by the Ships Readiness State. In time of war or strained relations they are responsible for ensuring that, in harbour or at sea, the ship is kept in the state of preparedness for action determined by the risk of attack.

### 0882. Naval Magazine and Explosives Regulations

1. Commanding Officers are to take care that the orders contained in BRd 862, *MOD Maritime Explosives Orders*, are strictly carried out.

2. Commanding Officers are to take care that the ammunition and explosive stores supplied are used only with due regard to the safety precautions laid down in the relevant publications.

3. All failures, misfires, defects, incidents or accidents resulting in damage to or dropping of an armament store are to be reported in accordance with the instructions in BRd 862 *Chapter 8*.

### 0883. Ammunition Expenditure

1. Commanding Officers are to cause the quantities of ammunition and stores specified for practice to be expended according to the instructions laid down.

2. Both in peace and war they are not to suffer the quantity of service ammunition to be reduced below the level prescribed in BRd 9424(1) *FLEET OPERATING ORDERS (FLOOs) Vol 1 Article 0140e.*, except in action with an enemy.

3. Periodic expenditure reports co-ordinated by the Logistics Officer from the records of Specialist User Officers are to be rendered (see Chapter 28).

### 0884. Drills, Exercises and Tests

1. Commanding Officers are to take care that the prescribed drills and exercises are carried out as laid down in the appropriate publications and that they are reported accordingly. They are to ensure that the weapon system performance tests are carried out at the required times and that weapon systems are maintained at the appropriate degree of readiness.

2. They are to exercise the ship's company at action stations by day and night often enough to maintain a high standard of efficiency. They are also to exercise the ship's company in defence and cruising watches for protracted periods, as frequently as necessary to maintain a high standard of efficiency when the ship is at the lower degrees of readiness.

3. See **7210** in relation to exercises etc in foreign territorial waters.

4. They are responsible for establishing that it is safe to conduct any weapon firings from their ship or from aircraft operating from their ship.



In circumstances where the ship's own sensors alone do not allow the full range area to be cleared, they may use an airborne observer as an extension of the ship's sensors or may delegate the assessment of range clearance to another competent person such as a Range Safety Officer or the Commanding Officer of another ship tasked with providing range safety.

#### **0885. Weapon Defects**

1. Commanding Officers are to report to the Fleet Commander, any defect which may arise in weapon, radio or other tactical equipment which seriously affects the fighting efficiency of the ship, stating the supposed cause of the defect and all relevant factors. The OPDEF signal format detailed in BRd 3001 *Fleet Engineering Orders* is to be used. Where questions of any importance affecting the design or efficiency of weapon equipment arise out of any damage or defect, Commanding Officers are to cause the Weapon Engineer Officer to carry out an inspection and to report to them on the damage and the probable cause. The Weapon Engineer Officer is to consult the Operations Officer if there is any suggestion that the damage or defect was caused by faulty operation of the equipment.

2. Should the defect cause serious structural damage, injury to personnel or damage to the system to such an extent that major repairs or replacement are necessary, the equipment is to be left as nearly as possible in the condition in which it was found immediately after the defect was discovered, pending an investigation, which is to be held at once, into the cause of the defect. The investigation is to be conducted in accordance with procedures laid down in BRd 3001 FEOs, BRd 9467 *FLAGOs Chap 16* and QRRN Chap 57.

3. In any report referring to weapon equipment, the correct nomenclature is always to be used in describing details, and the numbers and distinguishing marks are to be given in full.

4. Failures of weapon equipment, whether mechanical, electrical or electronic, which occur during action firings, at drill or at any other times are to be reported on forms S1148D, standard S2022 and MOD Form 760 dependant on munition type in accordance with BRd 862, *MOD Maritime Explosives Orders, Chapter 8*.

#### **0886. Precautions When Working on Power-Operated Moving Equipment.**

1. The attention of all personnel is to be drawn to the dangers inherent when working on or approaching any power-operated equipment, such as directors, radars, gun mountings, ammunition hoists, and guided weapon launchers when power is on.

2. Commanding Officers are to take appropriate measures to remind the ship's company at regular intervals of the urgent need to observe meticulously the safety precautions laid down in the relevant handbooks.

3. While Commanding Officers have general responsibility for safety in their ships, they are to allow contractors' representatives who are under the contract responsible for installation, testing or other tasks on board in respect of equipment delivered, to take charge of such work and to indicate the necessary safety precautions required. Commanding Officers, or the appropriate ship's officers, are nevertheless to draw the contractors' representatives' attention to any points relevant in their view to safe methods of work or operation.

#### **0887–0890. Unallocated.**



## **SECTION VI - SHIP UPKEEP, MAINTENANCE AND REPAIR**

### **0891. Upkeep in the Fleet and Submarine Operating Programmes**

1. Commanding Officers are to be very diligent in ensuring the ship is available to meet its operational commitments. They are to delegate the task of planning all upkeep work to the Engineer Officers and are to see that all defects are corrected expeditiously. In ships without an Engineer Officer, work is to be planned under the direction of the Defence Equipment and Support (DE&S) and Navy Command staff.
2. Maintenance periods will be allocated in the Fleet Operations Schedule. On the occasions when maintenance or repair activity is beyond the capability or capacity of ship's staff, the Commanding Officers are to request assistance in accordance with the instructions in Fleet Engineering Orders.

### **0892. Dockyard Work**

1. Commanding Officers are to ensure that their Engineer Officers are stringent when preparing the work package for programmed upkeep periods to be undertaken by contract in a dockyard or ship repair yard. Instructions for compiling the work package and the general conduct of programmed upkeep periods are given in:
  - a. DE&S DShips Common Support Model Business Procedure BP CSM/012, Plan, Prepare & Produce Work Packages for Surface Ship Upkeep Periods.
  - b. BR 1313 Chapter 1 Section 6.
  - c. BRd 3001 Fleet Engineering Orders (Surface Ships) Chapter 7 Upkeep Procedures.
  - d. BR 8593(1), Surface Ship Support - Upkeep Management - Concept of Operations
  - e. BR 8593(4), Guidance on the roles, responsibilities and activities of ship staff during upkeep periods.
  - f. BR 8593(19), Transfer of lead responsibilities through the life of a surface warship and Royal Fleet Auxiliary.
2. The contract for work will be managed by the DE&S. Every facility is to be offered to DE&S representatives in the preparation of the work specification prior to Non Fleet Date (NFD) and in the monitoring of the progress of work during the contract. Similar assistance is to be afforded to the contractor carrying out the work and such trials as are necessary to prove that the ship is in all respects ready for sea on the date prescribed for sea trials.

### **0893. Contract Acceptance**

1. In order to standardize arrangements for accepting ships back into service after major upkeep periods, the authorities responsible for conducting inspections and acceptance procedures will be as follows:
  - a. Ready for sea date (RSD). This is the responsibility of Navy Command but will be conducted by the "Waterfront" Flotilla Staff.
  - b. Contract progress monitoring and acceptance. This is the responsibility of the DE&S Strategic Class Authority.

- c. Fleet Date Inspection (FDI). This is the responsibility of Navy Command and will be conducted by the "Waterfront" Flotilla Staff.

**0894. Completion Reports**

1. Before sailing for sea trials at the end of a major upkeep period, Commanding Officers are to obtain the applicable Naval Authority Certificate (MOD Ship Safety Certificate (MSSC), MOD Submarine Safety Certificate (MSMSC) or MOD Boat Safety Certificate (MBSC)). They are also to sign Form D.237a (Report on Completion of Upkeep Period). If the Commanding Officer does not concur fully with any report prepared and presented as part of the completion and acceptance procedure, they are to report in writing to the Fleet Commander the points on which they dissent.

**0895. Unallocated**

## **SECTION VII - NEW CONSTRUCTION SHIPS AND SUBMARINES**

### **0896. Standing by Responsibilities**

1. Fairly early in the construction of new ships and submarines an officer will be appointed as the Senior Officer, normally the MEO. The Commanding Officer will assume the duties of Senior Officer on appointment.
2. The duties and administrative responsibilities of Senior Officers standing by surface ships are laid down in Standing By Orders and for Submarines in Submarine General Memorandum.
3. It is emphasised that until the ship or submarine is formally accepted into naval service it remains contractually the responsibility of the shipbuilder.
4. The senior officer is to ensure that officers standing by monitor the progress of construction and setting to work and is to bring to the attention of the appropriate Acquisition Authority and MOD Client any shortcomings in the construction or design of the vessel. Reports on build progress are to be rendered in accordance with BRd 3001 FEOs Chapter 9 and are to commence one month after the Senior Officer joins. Monthly Unit Records are also to commence at this time; whilst their content will be limited they will contribute to the historical record.

### **0897–0898. Unallocated**

## CHAPTER 9

### THE EXECUTIVE OFFICER (XO)

(MOD Sponsor: NAVY PEOPLE-TRG-HQ N9 EXEC FXO)

This chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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## CHAPTER 9

## THE EXECUTIVE OFFICER

## SECTION I - THE EXECUTIVE OFFICER

**0901. General Responsibility (See A/so 1962, 1082)**

1. The Executive Officer (XO) is the Second in Command. They are responsible to the Commanding Officer for the general organisation of the ship and for the discipline, morale and welfare of the whole Ship's Company together with the co-ordination of their training both for war and in peace, at sea and in the harbour.
2. They are to be prepared to assume Command if the Commanding Officer (CO) becomes incapacitated for any reason, in accordance with 0335 and 0336. They should also be prepared for duties in a Command Watch Bill opposite the CO; to which end they may be required to assume greater responsibility and be delegated greater authority in certain circumstances as required by the CO and as authorised by them.

**0902. Operational Organization**

1. **Watch and Station Bill.** The Executive Officer is to superintend the preparation and completion of the Unit Position List, Quarter Bill and resulting whole ship Watch and Station Bill by the Executive Warrant Officer (EWO) or Coxswain.
2. **CBRNDC.** They are responsible for the overall CBRNDC organisation and are to co-ordinate all CBRNDC activities; to this end they are to ensure that the whole ship Watch and Station Bill provides personnel from all Departments to meet the CBRNDC requirements at all states of readiness. They are to arrange training to exercise the Ship's CBRNDC organisation, including personnel from all branches. The XO is to consult BRd2170 series (*ShipCBRNDC Manuals*).
3. **Departmental Co-ordination.** They are responsible for the overall organisation of other activities which involve the co-ordination of two or more Departments, e.g. Replenishment At Sea, Ceremonial, Force Protection measures, Humanitarian Aid and Disaster Relief Operations. To this end they are to ensure that the Watch and Station Bill provides personnel from all Departments to meet these requirements.

**0903. Administrative Organization**

1. **Ship Co-ordination.** The Executive Officer is to co-ordinate the programmes of all Departments so as to meet the Ship's objectives and to ensure the promulgation of the Ship's programme. Where conflicting interests arise which cannot be resolved without prejudice to Departmental objectives they are to represent the matter to the CO.
2. **Common Tasks.** They are to direct tasks and activities which are common to all Departments. They are to apportion common tasks between Departments so as to balance Departmental work loads but is to take care that Departmental objectives are not prejudiced.

3. **Divisional System.** They are to supervise the organisation and administration of the Ship's Divisional System and are to act as the focal point for the dissemination of policy matters. They are to coach younger Divisional Officers in best Divisional practice including full use of the Divisional Officer/Troop Commander's Dashboard functionality within JPA and ensure that the Divisional System is afforded the highest priority by all concerned in accordance with Chapter 18 and BRd3(1) Chapter 21; They are to be supported in this role by the EWO or Coxswain.

4. **The Safety of Explosives.**

a. **Ship's Outfit of Explosives.**

(1) The Executive Officer is responsible to the CO for the co-ordination of whole ship activities affecting the safety of explosives in the ship or establishment in accordance with BRd862(1) , MOD Maritime Explosives Orders Vol 1 (Surface Ships).

(2) They are responsible for ensuring that the Ship's organisation complies with BRd862(1) (MMEOs Vol 1).

b. **Other Explosives.** The Executive Officer is responsible for co-ordinating the whole ship arrangements made to render safe or dispose of all own or enemy explosive stores that are in a dangerous condition. Additionally they are responsible for measures to deal with unexploded ordnance which has landed on board, been placed on board by the ill-disposed, found or recovered. They are to call on appropriate authorities or officers for assistance or advice as necessary.

5. **Safety Precautions for Personnel.**

a. **Before Proceeding to Sea.** The Executive Officer is to ensure that:

(1) The ship is in the appropriate CBRNDC state and condition, properly secured for sea, all appropriate sea survival equipment is rigged and seamanship preparations in accordance with BRd67 are complete.

b. **At Sea.** They are to ensure that:

(1) Ship's personnel are not normally ordered to a potentially dangerous position without previously ascertaining from the Officer of the Watch (OOW) that the upper deck is safe. If, however, an emergency does require personnel to venture into a dangerous position, which is beyond the control of the OOW, the Executive Officer assumes full responsibility for their safety. (See 3003.19).

c. **Embarking and Disembarking.** The Executive Officer is responsible for the safety of all persons when embarking and disembarking. (See 3004.5, 3003.5).

## **0904. Discipline and Routines**

### **1. Discipline.**

a. The Executive Officer is responsible for the maintenance of good order and discipline and is to superintend the Senior Service Police Officer or Coxswain in the execution of their duties. (See Chapter 34).

b. **Routine.** The Executive Officer is responsible for maintaining efficient and effective routines and is to superintend the Executive Warrant Officer (EWO) or Coxswain in the execution of their duties. In managing Ship's routines, due regard shall be had for the maintenance and wellbeing of the Moral Component of Operational Capability (MCoFOC).

2. **Joining and Leaving Routines.** The Executive Officer is to ensure that a definite routine is carried out by all officers and ratings joining or leaving.

3. **Unit Position List / Personnel Baseline List Management.** The Executive Officer is to ensure that all members of the UPL / PBL, whether embarked or landed ashore are issued with personal employment plans and that the Divisional Organisation maintains oversight of and regular contact with all landed personnel listed in the UPL / PBL. This shall be taken to include 'Squads' where appropriate and the landed watch in 3 watch manned units.

## **0905. Training**

1. The Executive Officer is responsible for co-ordinating the individual and collective training of the whole Ship's Company. They are to ensure that all personnel undertake mandatory training in accordance with promulgated Naval Core Training (NCT) contained in the Defence Learning Environment (DLE) and that shortcomings are reported to the appropriate administrative authority.

## **0906. Spare**

## **0907. Seamanship Responsibilities**

1. **Replenishment at Sea.** The Executive Officer is responsible for the inboard organisation of replenishment at sea and the handling of gear where these are *not* the responsibility of the Marine Engineer Officer or the Weapon Engineer Officer.

2. **Inflatable Lifesaving Equipment.** They are to ensure that inflatable lifesaving equipment is correctly maintained, except insofar as this is the responsibility of the Survival Equipment Officer.

3. **Seamanship Data Book.** They are to supervise the compilation of the Seamanship Data Book. When a ship is paid off for a long refit, and at the end of the Ship's service, the book is to be handled in the same manner as the Captain's Ship's Record or Captain's Ship's Book. (See **0824.**)

4. **Seamanship Evolutions.** The Executive Officer is responsible for the safe conduct of all seamanship evolutions. They are to be satisfied that officers and senior ratings supervising seamanship evolutions have the necessary knowledge and ability required for

the task.5. **Equipment.** The Executive Officer is to be satisfied that all items listed in the rigging warrant are held and are in thoroughly serviceable condition. They are to ensure that all seamanship is periodically tested and inspected in accordance with the regulations.

6. **Boatswain's Duties.** When an officer (or CPO(Sea) in QEC), is borne for Boatswain's duties, they are to be responsible to the Executive Officer (or First Lieutenant, if borne) for the duties laid down in Clauses 4 and 5 above (see 3401-3407). These responsibilities may be delegated to another suitably qualified officer, when no Boatswain is borne, at the Commanding Officer's discretion.

#### **0908. Executive Department**

1. The Executive Officer is to command, lead and manage the Executive Department/Function, ensuring that it provides full support to the achievement of the CO's aims and the delivery of Operational Capability.

#### **0909. Unit Health Committee**

1. In a seagoing vessel, and in accordance with BRd1991 Chapter 11 Para 1104, the Executive Officer is to be the Chairperson of the Unit Health Committee.

#### **0910. Additional Duties**

1. The Executive Officer is to under take the following additional duties:
  - a. To be the lead at Carers Forums co-ordinated by the EWO.
  - b. To be President of the Wardroom Mess and superintend its correct management, good order and maintenance of standards.
  - c. To be the Unit Security Officer.
  - d. To be the Chairman of the Unit Welfare Committee.
  - e. To be the Unit Safety, Health and Environment Officer responsible for all matters relating to Safety, Health and the Environment on behalf of the Commanding Officer. This is to include all matters of waste management.
  - f. To be the Flight Safety Officer when a flight is not embarked, including having responsibility for the on board Post Crash Management Organisation.
  - g. To Champion and promote the maintenance of 'Royal Navy Standards and Ethos' with particular emphasis on all aspects of diversity and inclusivity onboard or within the unit.
  - h. To Champion the education, deterrence and prevention of Alcohol and Substance Misuse.

#### **0911–20. Unallocated**



## SECTION II - THE EXECUTIVE OFFICER (SUBMARINES)

### 0921. General Responsibility

1. The Executive Officer is the Second-in-Command and head of the Warfare Department. They are responsible to the Commanding Officer for the general organisation of the Submarine and for the discipline, moral and welfare of the whole Ship's Company, and for the co-ordination of their training.
2. They are to prepare themselves to assume Command if the Commanding Officer becomes incapacitated for any reason in accordance with **0335** and **0336**. They should also prepare themselves for duties in a command Watch Bill opposite the Commanding Officer; to which end he may be required to assume greater responsibility and be delegated greater authority in certain circumstances as required by the Commanding Officer and as authorised by him/her.

### 0922. Operations

1. The Executive Officer is responsible to the Commanding Officer for:
  - a. The co-ordination of all tactical advice, and advising on a weapon release policy, taking account of current Navy Command policies and the capabilities of actual or potential enemies.
  - b. The training and overall efficiency of the command team and of the Officers of the Watch, and the maintenance (in conjunction with the Marine Engineer Officer and Weapons Engineer Officer) of watchkeeping standards. In conjunction with the Weapons Engineer Officer, and assisted by him/her, the Executive Officer is responsible for the co-ordination of all weapons system training and drill, and the efficiency and collective training of the officers and ship's company who man the tactical weapon system.
  - c. The application of safety rules during practices, operations and exercises.
2. They are to:
  - a. Arrange briefings as required before operations, exercises and weapon practices.
  - b. Ensure the provision of the appropriate tactical publications and supporting information to the command, and for use in the control room.
  - c. Ensure that there is an efficient organisation for the co-ordination and control of all emissions in accordance with the emission control policy in force and appropriate security regulations.
  - d. Co-ordinate and promulgate the Rules of Engagement (RoE) in force.
3. They are responsible to the Commanding Officer for assessing the submarine's fighting efficiency and operational effectiveness.

4. They are to keep themselves informed, and ensure that control room Watchkeeping Officers do likewise, of developments in:
  - a. The operational capabilities of ships, aircraft, submarines, weapons, sensors, communications equipment and tactics of the Royal Navy, Allied forces and potentially hostile forces.
  - b. The tactics likely to be employed by the enemy, and their probable effectiveness.
  - c. The tactical measures advised in the Royal Navy and in the navies of Allied forces. They are to have particular regard to the current tactical advice of the submarine command.
5. They are responsible to the Commanding Officer for the collection, reporting and dissemination of intelligence information.

### 0923. Operational Organization

1. **Watertight Integrity, Damage Control and CBRNDC.** The Executive Officer is responsible for the organization of routines and watchkeeping to ensure watertight integrity, and is to ensure that sufficient time is allocated to the training of a suitable damage control organisation. They are responsible for the overall CBRNDC organization and are to ensure that the Watch and Station Bill provides men from all departments to meet all CBRNDC requirements.
2. **Departmental Co-ordination.** They are responsible for the overall organisation of any activities requiring the co-ordination of more than one department. They are to ensure that the Watch and Station Bill provides men from all departments to meet these requirements.
3. **Watch and Station Bill.** They are to oversee the preparation and promulgation of the Watch and Station Bill.

### 0924. Administrative Organization

1. **Co-ordination.** The Executive Officer is to co-ordinate the programmes of all departments so as to meet the submarine's objectives and to ensure the promulgation of the submarine's programme. Where conflicting interests arise which cannot be resolved without prejudice to departmental objectives They are to represent the matter to the Commanding Officer.
2. **Common Tasks.** They are to direct tasks and activities that are common to all departments. They are to apportion common tasks between departments so as to balance departmental work loads but are to take care that departmental objectives are not prejudiced.
3. **Divisional System.** They are to supervise the administration of the divisional system in all departments and is responsible to the Commanding Officer for the maintenance of high standards of care, particularly in report writing.

4. **Standing Orders.** They are to promulgate standing orders covering damage control and CBRN, security, safety, explosives safety organization and responsibilities, organisation and administration, and discipline. They are to ensure that standing orders covering other areas are compatible with these. Where administrative authorities issue standing orders for general use, they are to ensure that such orders reflect in detail the particular characteristics of the submarine, and should advise the Commanding Officer when conflict occurs.

5. **The Safety of Explosives.** In accordance with BRd2(QRRNs) and BRd862(2) (MOD Maritime Explosive Orders Vol 2 Submarines), the XO is responsible to the Commanding Officer for the organisation and overall co-ordination of whole ship activities affecting the safety of explosives in the Submarine. This covers:

- a. Ensuring that the Submarine's organisation complies with the mandatory rules and orders contained in BRd862(2) (MMEOs).
- b. Specifying in Standing Orders the allocation of departmental responsibility for the inspection, stowage, cleanliness, custody, movement (including drill) and safety of explosives and the stowages containing them.
- c. Ensuring that all explosives held onboard are accounted for by the Logistics Officer.
- d. Ensuring that all explosives held onboard are under the responsibility of the Explosives Responsible Officer (ERO), Officer of the Quarter (OOQ) or Specialist User Officer (SUO).
- e. Ensuring that the measures, inspections, rounds and tests required are carried out correctly and recorded in the Daily Record of Inspections pages in the Explosives Log.
- f. The co-ordination of whole ship and inter-departmental activities affecting the safety of explosives and the production of orders for those activities, to direct and ensure conduct is in accordance with MMEOs.
- g. The co-ordination of whole ship activities affecting the safety of explosives whilst any military force is temporarily embarked. This includes production of orders for assault or embarkation/disembarkation procedures and in particular to cover loading/unloading of personnel weapons and control of ammunition not being held in approved stowages.
- h. Ensuring that the appropriate authorities or Officers are called for assistance or advice as necessary, particularly with regard to the intentions for disposal of explosives that are in a dangerous condition.
- i. Co-ordinating the whole ship arrangements made to render safe all own or enemy explosive stores that are in a dangerous condition, and all unexploded ordnance which has landed onboard, been placed onboard by the ill-disposed, found or recovered.
- j. Co-ordinating the whole ship arrangements, when advised by EOD teams, to safeguard life and the ship during the disposal of any explosives that are in a dangerous condition.

## 6. **Personnel Safety.**

- a. They are to ensure that, before proceeding to sea, the Submarine is properly secured; that all lifesaving equipment (including submarine escape equipment) is in good order and properly inspected; and that the sea life-buoy is rigged.
- b. They are responsible for the safety of all persons embarking and disembarking. (See **3004.5.**)

7. **Next of Kin.** They are responsible for the maintenance of details of the next of kin of the Ship's Company and that the appropriate authorities are informed.

## **0925. Discipline and Routines**

1. The Executive Officer is responsible for the maintenance of good order and discipline and is to oversee the Coxswain in the execution of their duties. (See Chapter 34).
2. **Joining and Leaving Routines.** They are to ensure that standing orders provide for a routine to be carried out by all personnel joining or leaving, to ensure that all stores on loan, and not authorised to be retained, are returned, and that all relevant information on each joiner becomes properly known.

## **0926. Training**

1. The Executive Officer is responsible to the Commanding Officer for:
  - a. Co-ordinating the training of the whole Ship's Company.
  - b. Supervising the training of the warfare branch, action information organisation and command team (see also **0922**).
  - c. Arranging in conjunction with the Marine Engineer Officer and Weapon Engineer Officer as appropriate, the instruction of officers borne for training.

## **0927. Departmental Responsibilities**

1. **Seamanship.** The Executive Officer is responsible to the Commanding Officer for the safe conduct of all seamanship evolutions. They are to satisfy themselves that officers and senior ratings supervising seamanship evolutions are properly trained and experienced. They are also to satisfy themselves that the items listed in the rigging warrant and not held by WEO or MEO, are in good condition and properly inspected and tested.
2. **Security.** They are to act as Unit Security Officer (USO) and ensure compliance in all matters pertaining to the security of the Submarine and her crew.
3. **Medical.** In submarines where no Medical Officer is borne, they are to act as the Officer in Medical Charge.

## **0928. Unit Health Committee**

1. In accordance with BRd1991 Chapter 11 Para 1101, in all sea-going vessels, the XO is to be Chairman of the Unit Health Committee.

**0929. Additional Duties**

1. The XO is to under take the following duties:
  - a. To be President of the Wardroom Mess and superintend its correct management, good order and maintenance of standards.
  - b. To be the Chairman of the unit Welfare Committee.
  - c. To be the unit Safety, Health and Environment Officer responsible for all matters relating to Safety, Health and the Environment on behalf of the Commanding Officer. This is to include all matters of waste management.
  - d. To Champion and promote the maintenance of 'Royal Navy Standards and Ethos' with particular emphasis on all aspects of diversity and inclusivity onboard or within the unit.
  - e. To Champion the education, deterrence and prevention of Alcohol and Substance Misuse.
  - f. To champion the Learning from Experience (LfE) culture onboard and ensure they manage lessons and disseminate identified from the wider enterprise.

## SECTION III THE EXECUTIVE OFFICER (NAVAL AIR SQUADRONS)

### 0930. General Responsibility (see also 2411)

1. The Squadron Executive Officer is the Second-in-Command and will be nominated by the Commanding Officer. However the Commanding Officer may delegate some of the Executive tasks to the Senior Pilot or Senior Observer (whoever is not the Executive Officer). The Executive Officer is responsible to the Commanding Officer for the general organisation of the Squadron and for the discipline and welfare of the Squadron personnel together with the co-ordination of their training both for war and peace, at sea and ashore.
2. They are to be prepared to assume command if the Commanding Officer becomes incapacitated for any reason, in accordance with **0335** and **0336**.

### 0931. Administrative Organisation

1. **Squadron Co-ordination.** The Executive Officer is to co-ordinate all Squadron activities so as to meet the Squadron objectives. Where conflicting interests arise which cannot be resolved without prejudice to departmental objectives, they are to represent the matter to the Squadron Commanding Officer. They are to represent the Squadron at DHoDs when embarked.
2. **Common Tasks.** They are to direct common tasks and activities, to ensure a balanced workload amongst aircrew and engineering staff.
3. **Divisional System.** They are to supervise the organisation and administration of the Squadron's divisional system. This responsibility may be delegated in full, or in part, to the Squadron's Air Engineering Officer (See Chapter 18).
4. **Standing Orders.** They are to promulgate Squadron Standing Orders covering:
  - a. Organisation – general, discipline, duties and welfare.
  - b. Routines.
  - c. Flying Orders.
  - d. Training Orders.
  - e. Joining and leaving routines.
  - f. Security.
  - g. Emergencies.
  - h. Detachment Orders.
  - i. CBRNDC.

**5. Safety Precautions for Personnel.**

a. **General.** The Executive Officer is to ensure that:

- (1) There is a strong Health and Safety culture in the Squadron.
- (2) A robust Flight Safety Organisation exists within the Squadron.

**6. Personnel.** The Executive Officer is:

- a. Responsible for co-ordinating the Squadron Scheme of Complement to ensure manning levels are sufficient to support the Squadron's mission.
- b. To monitor the achievement of Harmony and Personnel Functional Standards, incorporating Re-balancing Lives and Investors in People initiatives where possible.

**0932. Disciplines and Routines**

1. The Executive Officer is to superintend the Regulating Chief Petty Officer or Regulating Petty Officer in the execution of their duties. (See Chapter 34).
2. Joining and Leaving Routines. They are to ensure that Standing Orders provide for a routine to be carried out by all officers and ratings joining or leaving. This should provide adequate advance notice of discharges to be given to all concerned, such as regulating, pay, stores, victualling and clothing offices and sick bay, and the routine should ensure that all stores on loan, including loan clothing (other than such articles issued on personal loans authorised to be retained during service), are withdrawn from officers and ratings before they leave.

**0933. Training**

1. The Executive Officer is responsible for:
  - a. Co-ordinating the training of Squadron personnel, including suitable support for secondary duties and activities.
  - b. Arranging the instruction of officers borne for training.

**0934. Departmental Responsibilities**

1. **CBRNDC.** The Executive Officer is responsible for the Squadron CBRNDC organisation, training of personnel and equipment where these are not the responsibility of the Air Engineer Officer.
2. **Survival Drills.** They are to ensure that an up to date Survival Officers Register is maintained in accordance with current regulations.

3. **Monthly Unit Record.** They are to supervise the compilation of the Monthly Unit record. This book is to be produced for examination by the inspecting officer in accordance with current regulations. When a Squadron is decommissioned for conversion or modernisation, and at the end of the Squadron's service, the record is to be forwarded to the FAA Museum for safe custody (The same rules apply to the Squadron Line Book).
4. **Weapons Training.** The Executive Officer is responsible for ensuring all weapons trained personnel remain in date for training and Annual Weapons Test.
5. **Equipment.** The Executive Officer is to be satisfied that all equipment required for embarkation or detachment is held and is in a serviceable condition.
6. **Security.** Carry out the duties of Data Protection and Unit Security Officer.
7. **Delegation.** The Executive Officer may elect to delegate duties laid down in Clauses 3 to 6 above to the 1st Lieutenant or other suitable person as authorised by the Command.

#### **0935. Unit Health Committee**

1. The XO is to be the Vice Chairperson of the Unit Health Committee.

#### **0936. Additional Duties**

1. The Squadron XO is to under take the following duties:
  - a. To be the Chairman of the unit Welfare Committee.
  - b. To be the unit Safety, Health and Environment Officer responsible for all matters relating to Safety, Health and the Environment on behalf of the Commanding Officer. This is to include all matters of waste management.
  - c. To Champion and promote the maintenance of 'Royal Navy Standards and Ethos' with particular emphasis on all aspects of diversity and inclusivity onboard or within the unit.
  - d. To Champion the education, deterrence and prevention of Alcohol and Substance Misuse.



## CHAPTER 10

### THE ENGINEER OFFICER

(MOD Sponsor: NAVY COMMAND HQ – ES DIV SO1 DOCTRINE and OP ENG SPT)

This chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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## CHAPTER 10

### THE ENGINEER OFFICER

#### SECTION I - THE STAFF ENGINEER OFFICER

##### 1001. Assistant Chief of Naval Staff and Assistant Chief of Staff

1. Those Officers appointed as Assistant Chief of Naval Staff (ACNS) or Assistant Chief of Staff (ACOS) on the staff of the Second Sea Lord are to perform the Develop, Deliver and Generate functions as detailed in the [Navy Command Operating Model](#), through Letters of Delegation or as may be ordered by the Second Sea Lord.

2. The HQ consists of four divisions where engineering staff functions exist, Ships led by ACNS(Ships), Submarines (ACNS(SM)), Aviation, Amphibious Capability and Carriers led by ACNS(A&C) and Engineering Support DNS (Director Naval Support).

##### 1002. The Chief Naval Engineer Officer (CNEO)

1. CNEO is the functional head of the Royal Navy and Royal Fleet Auxiliary Engineering Branch. The role is responsible for providing leadership of the Branch by promoting a culture and ethos of professional engineering excellence, pride and a strong sense of belonging to the Royal Navy, Royal Fleet Auxiliary and Engineering Branch. CNEO provides a focal point for championing RN/RFA engineering issues and risks by influencing and advising MOD and RN executive organisations. Delivery of CNEO's responsibilities is enacted through the Naval Engineering Strategy and CNEO's annual conference. The role is supported by the Deputy CNEO, Heads of Specialisation (appointed by CNEO), CSO(E)s, DACOS(ES), DACOS(AE) and the CNEO Warrant Officer – all of whom make up the Naval Engineering Board.

##### 1003. Chief Staff Officer Engineering (CSO(E))

1. CSO(E)s specializing in Surface Ships, Submarines and RFAs will be appointed to assist ACOS(Ships), ACNS(SM) and ACOS(AFSUP) in executing their duties. The CSO(E)s are to set and implement Surface, Submarine and RFA engineering policy in concert with other MoD authorities. They are to take corrective action to overcome shortfalls and seek to continuously improve current and projected platform availability; ensuring optimal operational capability through the performance of engineering personnel, equipment and systems.

2. The CSO(E)s are additionally delegated authority from Operating Duty Holders (ODH) to act as the ODH Chief Engineer (ODH CE) for the Surface Ships and Submarines respectively in accordance with DSA-02 and BR 10. In this role CSO(E)s are to provide responsive engineering advice to Operating Duty Holders such that platforms are safe to operate and can be operated safely.

##### 1004. Deputy Assistant Chief of Staff (Engineering Support) (DACOS(ES))

1. DACOS(ES) supports DNS through ACOS(FS&E), in providing sponsorship of key engineering enablers. Responsibilities include Operational Engineering capability management, whole force development, engineering support innovation and implementation of the Naval Engineering Strategy (NES).

## **BRd 2**

2. Supporting ACOS(FS&E) as Deputy Chief Naval Engineer Officer (DCNEO), DACOS(ES) co-ordinates the development of engineering doctrine and engineering policy processes and governance, in consultation with CSO(E)s, and DACOS(AE), through the NES to the NEB.

### **1005. Flotilla Captains Engineering/Support**

1. Flotilla Captains Engineering at Portsmouth, Devonport and Captain Support at Faslane deliver maintenance and repair support. Captains Engineering report to Flotilla Commanders and act as Chief Engineer to their respective DDH. They will also provide engineering advice and guidance to Fleet units as required. At NBC Devonport this responsibility is split between Captain Engineering (for Surface Ship support) and Superintendent Upkeep Submarines (for Submarine support). In addition, they are to:

- a. Integrate engineering into the broader force generation of units under the Force Generation Authority of their respective Flotillas
- b. Direct the work of those uniform engineers at the waterfront under their command
- c. Provide admin support and OJARCON for those personnel seconded into Industrial Partners within their geographic area.
- d. Direct the work of the RN Refit Support Group and Maintenance Support Organisations and assist the Strategic Class Authorities with the oversight of Upkeeps and Long Support Periods (Dockings). They are authorized to provide the engineering assurance necessary to accept ships from DE&S back into Fleet Time.
- e. For PORFLOT Capt E, Force Generate the Forward Support Unit (MCM).
- f. Act as local head of engineering profession at the waterfront.

### **1006. Flotilla Staff Engineer Officers and Engineer Officers on the Staff of Flag Officer Sea Training**

1. Engineer Officers on the staffs of COMPORFLOT, COMDEVFLOT and COMFASLOT are to perform such duties in connection with ships and submarines in their base ports as may be ordered by their waterfront commander, having due regard to the instructions issued by the Fleet Commander, ACNS (Ships) ACNS(SM), ACNS (A & C) ACOS(Ships) and ACOS(FS&E). Their duties will primarily be to have oversight of engineering standards and safety, seek appropriate delivery of the Naval Base services to Fleet units and to provide guidance and advice to Engineer Officers in sea-going appointments. In conducting these tasks, Waterfront staffs also provide assurance to DMR and the DDH, as well as supporting ODH CE, that ships and submarines are being maintained and operated in accordance with DSA-02 and BR10.

2. Engineer Officers on the staff of Flag Officer Sea Training will oversee the delivery of training both ashore and at sea. They will also assist heads of engineering departments in ships and submarines with essential safety and administrative checks and inspections prior to the vessel proceeding to sea following Upkeep or maintenance periods.

## **1007. General Responsibilities of Staff Engineer Officers**

1. The responsibilities of each Staff Engineer Officer under the direction of their Flag or senior officer are as follows:

- a. To advise generally on all matters which are the responsibility of the Engineer Officers of the appropriate profession or sub-specialization within or attached to the command.
- b. To ensure that the operation and upkeep of machinery and equipment which are their material concern are being carried out in accordance with the appropriate instructions and accepted professional standards.
- c. To carry out such inspections and audits as are called for in the appropriate manuals and instructions.
- d. To propose to the Flag or senior officer any measure which in their opinion will effect improvement in any matter which is their concern.
- e. To bring immediately to the notice of the Flag or senior officer any important defects or reduction in the efficiency of machinery or equipment which are their concern, and to ensure that timely action is taken to remedy these, having regard to all the resources available.
- f. To ensure that proposals for dockyard work, such as defect lists and proposed Alterations and Additions, are correctly prepared and are adequately supported by factual information.
- g. To advise on the professional conduct and ability of the Engineer Officers of the appropriate profession or sub-specialization within or attached to the command.
- h. To ensure that the requirements for training and advancement of junior officers and ratings of the appropriate sub-specializations and branches are being met.
- i. To maintain such records and to carry out such personal visits as will enable them to discharge their responsibilities in a timely and efficient manner.
- j. To ensure the appropriate CSO(E) is appraised on any concerns, issues and risks identified and to ensure that timely action is taken to mitigate these, having regard to all the resources available.
- k. To provide assurance to their Flotilla Commander as DDH and to their CSO(E), as the ODH SPOC, that the units are being maintained and operated safely as laid down in DSA-02.
- l. To assess, and as permitted, issue SQEP waivers to units when applied for by the unit's Commanding Officer (CO) on behalf of CSO(E). In so doing: to consider the cumulative as well as the specific risks that may be presented by a reduction in competent personnel onboard a particular ship, cogniscent of the unit's tasking and material state.

## **BRd 2**

m. To provide the initial assessment of unit Engineering NLIMS, capturing the lessons and actions required, following up on such actions with the unit's Engineer Officers.

### **1008. The Fleet Constructor**

1. The Fleet Constructor is permanently assigned to NCHQ and is principally responsible for the provision of submarine naval architecture advice to CSO(E)SM, and supporting CSO(E)SS as required. In addition the Fleet Constructor supports CSO(E)SM in all aspects of the SM Operating Duty Holder single point of contact role.

### **1009–1015. Unallocated**

## SECTION II - HEADS OF ENGINEERING DEPARTMENTS

### 1016. Head of an Engineering Department

1. This section applies to Engineers assigned to ships, submarines and craft, Government Owned Contractor Operated (GOCO) vessels, Contractor Owned Contractor Operated (COCO) vessels and ships on MOD/DTMA charter, as Head of an engineering department, in accordance with the Unit Personnel List (UPL), from standing by in build, through to handover for sale or disposal (N Role).

2. The Marine Engineer Officer and the Weapon Engineer Officer are the heads of their respective engineering departments of a ship, or unit, with direct responsibility to the Commanding Officer for the efficient functioning of their departments; a single Engineer Officer may be the head of a combination of two or more engineering departments. An Engineer Officer Head of Department of OF3 rank or above is considered to be exercising Professional Command (Engineering) analogous to Sub-Unit Command (BR3) of his/her department.

3. Engineer Officers at sea are to:

- a. Operate, maintain, diagnose and repair equipment in accordance with the established procedures to assist the Command in achieving the highest levels of Operational Capability.
- b. Provide feedback from operational ships of any perceived shortfalls in Operational Capability. Provide the Delivery Duty Holder (DDH) / ODH SPOC with incident reports and feedback from operational ships of any incidents, accidents and near misses. This is to include any simulator training events.
- c. Provide engineering advice to the Command.
- d. Support the Commanding Officer as required with provision of advice for Safety Case Management. (article1029)

4. The head of an engineering department must hold a Charge Qualification (for Marine Engineer Officers this is to be equivalent to the appropriate IMO STCW Certificate of Competency).

5. An Engineering Department without an Engineer Officer. A Suitably Qualified and Experienced Senior or Junior Rate will be assigned as head of the engineering department, and they are to hold the necessary competencies stipulated in the UPL. The Commanding Officer is:

- a. To ensure that all relevant Defence Instructions and Notices, correspondence and hand-books are available to such Senior/Junior Ratings and that the work of preparing reports and returns is properly supervised.
- b. To appoint an Officer to look after the welfare of the ratings of the engineering department.

## **BRd 2**

6. The Absence of the Marine Engineer Officer is to be managed as detailed in BRd 3000, Art 0205 for surface ships and as detailed in NSMAs for submarines..

7. The absence of the Weapon Engineer Officer is to be managed as detailed in BRd 300(SS), Art 0402, and BRd 300(SM), Art 0214 and 0215.

8. The absence of the Explosives Responsible Officer is to be managed as detailed in QRRN Chapter 27 and BR 862(Pt 1(SS) 0105 & Pt 2(SM)) Chapter 1.

### **1017. Supplementary Instructions**

1. In the performance of their duties, heads of engineering departments are to comply with the instructions in appropriate manuals, which are to be considered as supplementary to the instructions in this chapter. Their attention is particularly directed to BRd 3000 Marine Engineering Manual or BRd 0300 (SS & SM) Naval Weapon Engineering Manual and BRd 1313 Maintenance Management in Surface Ships as appropriate, and to BRd 3001 Fleet Engineering Orders (Surface Ships) and BRd 023 Technical Instructions for Submarines Volume 1.

### **1018. Organisation of Department**

1. The head of an engineering department is responsible to the Commanding Officer for the organisation and good order of their department, including the production and implementation of the departmental watch bill, operating procedures and instructions.

### **1019. Training**

1. The head of an engineering department is responsible to the Commanding Officer for the state of training of all personnel, including ship system operators and duty officers, operating and maintaining systems and equipment in their charge. In carrying out this responsibility they are to ensure that the Executive Officer is kept informed of the state of training of operators so that the latter can carry out their co-ordinating duties for training.

### **1020. Maintenance and Repair**

1. The head of an engineering department is to take every opportunity, both at sea and in harbour, to make progress with the maintenance of the machinery and equipment for which they are responsible. Whenever possible, they are to make good defects as soon as they are discovered.

2. Engineering HODs are to represent to the Commanding Officer details of any important repair to, maintenance or preservation of, machinery or equipment which the exigencies of the Service do not permit to be carried out either immediately or at an early date.

3. Prior to each occasion of arrival in harbour, the head of an engineering department is to ascertain from the Commanding Officer, who will have been informed by the Fleet Commander or senior officer, what time is available for maintenance. The head of each engineering department is then to arrange their work accordingly, taking care that the ship remains within the given notice for sea.



4. Should a defect develop which in the opinion of the head of an engineering department makes it absolutely necessary that the ship should put into port, they are to inform the Commanding Officer immediately.

#### **1021. Requirements of Other Departments**

1. The head of an engineering department is responsible for meeting the requirements of other departments for the maintenance of equipment in their charge or use, in so far as it is the material concern of their department. Such other departments are equally responsible for providing the opportunity for the work to be done.

#### **1022. Standards**

1. The head of an engineering department is to ensure that proper professional standards and practices are adhered to in the upkeep and maintenance of the machinery and equipment which are in their charge.

#### **1023. Explosives and Armament Stores**

1. Heads of engineering departments have responsibilities for certain fittings, wiring, lighting and appliances associated with the ship's magazines and ordnance. The appropriate regulations are contained in BR 862, MoD Maritime Explosives Regulations, Pt 1, Art 0115 and Pt 2. For responsibilities of Weapon and Air Engineer Officers relating to safety of explosives see Chapter 28, Art 2803.

2. Engineering HODs may also have responsibilities for associated stores, the appropriate accounting regulations for which are held within the Defence Logistics Framework (DLF)

#### **1024. Records and Reports**

1. The head of an engineering department is to keep such technical records as are required and to prepare such reports or material as may be ordered. In particular they are responsible to the Commanding Officer for:

a. Records, reports, returns and other forms associated with the installation, operation, performance, and upkeep of systems and equipment in their charge, in accordance with the instructions in BRd3001, BRd300(SM), BRd023, BRd024 and BRd1313.b. The maintenance of records of approved alterations and additions and class modifications. The head of engineering department is also responsible for the coordination of for new alterations and additions and class modification proposals.

b. The maintenance of records of approved Minor/Fleet trials and supplementary reports.

### **1025. Responsibilities for Work Done by DE&S, Dockyard Companies and Other Repair Authorities**

1. The principle to be followed is that the repair authority undertaking the work is responsible for the satisfactory completion of that work. This applies to DE&S , dockyard companies or other contractors.
2. The responsibilities for trials and acceptance of work undertaken by contractors are to be specified in the relevant contracts. Where a dockside test organisation exists, approved procedures of this organisation are normally to be used.

### **1026. Relief of the Head of an Engineering Department**

1. When the head of an engineering department is relieved, the transfer of stores, fittings and fixtures, spare gear, drawings and books is to be carried out in accordance with instructions in BRd 3000, BRd 0300 (SS & SM). The MEO's and WEO's Supersession Certificates are to be forwarded in accordance with BRd 3000, Marine Engineering Manual, Article 0221 and BRd 300, Naval Weapon Engineering Manual, Article 0601 or BRd 0300(SM) Submarine Weapons Engineering Manual, Article 0217 as appropriate.

### **1027. Stores Accounting**

1. The head of an engineering department is to ensure that the equipment, stores, tools and spare gear for which they or members of their department are responsible are properly accounted for and mustered.

### **1028. Environmental Compliance**

1. Heads of engineering departments are to take particular care to avoid the pollution of the environment through any discharge, spillage or emission in contravention of MARPOL regulations. Any such contravention is to be reported to the administrative authority in accordance with current orders, BRd 0167.

### **1029. Provision of Safety Case Management Advice to the Commanding Officer**

1. The Commanding Officer is the person charged with safe operation of a ship. Each Head of Engineering Department is to support the CO to enact his duty by:-
  - a. Ensuring that the CO is aware of relevant safety limitations applicable to the platform, especially any assumptions made in the safety case that limit operational capability and availability. The Command Safety and Environmental Summary or associated Addendums are the principal documents that supports this and must be reviewed as part of the supersession of the Commanding Officer.
  - b. Ensure equipment is maintained and operated in accordance with the assumptions of the safety case.

- c. Ensure that staff are suitably qualified and experienced (SQEP) in accordance with the UPL, which will cover the assumptions of the safety case. If this cannot be achieved, suitable concessions are to be sought from the DDH / ODH, and the risk of this deficiency understood and briefed to the CO.
- d. Ensure that engineering safety certification upon which the Platform Safety Case relies, is held and the CO is informed when there is concern that certification may lapse.
- e. Assure that all on board mitigations and contingencies required to reduce safety hazards to tolerable and ALARP are enacted. Where this is not practicable the engineer shall ensure that the CO, Platform Authority (PA), DDH and ODH are informed as appropriate.
- f. When a conflict exists between the safety case assumptions and operational requirements, the HOD shall support the CO by ensuring that operations out with the scope of the safety case are only undertaken having considered the safety implications and undertaken a safety risk assessment to an appropriate degree, the justification should be documented. If time permits the ODH, DDH and PA should be consulted iaw DSA-02.

#### **1030. Provision of information to Platform Authority during an Emergency Incident**

1. During the midst of an CBRNDC incident or other emergency scenario, the HOD will have many conflicting demands upon their time. As the scenario permits, the HOD is to ensure that technical information regarding the emergency incident is provided to FOMO/FOMOSM to allow the PA to provide relevant technical assistance. In particular for events involving grounding, collision, or flooding the requirements of BR2170 Vol 1 Chapter 31 Annex A and BR 2170 Vol 4 Chapter 7 are to be complied with.

#### **1031–1040. Unallocated**

## **SECTION III - THE MARINE ENGINEER OFFICER (SURFACE SHIPS AND SUBMARINES)**

### **1041. General Duties**

1. The Marine Engineer Officer is the head of the Marine Engineering department and is accountable to the CO for:

- a. The organisation, administration, training and good order of their department, including the welfare of personnel, but taking account of the Executive Officer's responsibility for the general organisation of the ship, the discipline and welfare of the whole ship's company and co-ordination of training. (See 0901).
- b. The operation, maintenance, performance, availability, security, custody and safety of all systems and equipment in their charge as defined in BRd 3000, Marine Engineering Manual.
- c. Carrying out their responsibilities as the head of an engineering department as defined in Chapter 10, Section II.
- d. Reduction of acoustic and infra-red signature in accordance with BRd 9348.
- e. Providing feedback to Navy Command and DE&S of any perceived shortfalls in Operational Capability, availability, sustainability, design or material state.
- f. The provision of engineering Operation, Maintenance, Diagnostic and Repair (OMDR) advice.
- g. The production and implementation of the propulsion plant watchbill, operating procedures and instructions outside of those promulgated by the PA.
- h. The custody of drawings and publications associated with the equipment and systems in their charge.
- i. The maintenance of records of approved alterations and additions and class modifications and co-ordination of proposals for new alterations and additions and class modifications for the whole submarine.
- j. The records, reports, returns and other forms associated with a, b, and c above and with the installation, operation, performance and upkeep of machinery in their charge.

2. In ships in which no marine engineering sub-specialist officer is borne, the officer and rating detailed in accordance with Article 1016 are to assume respectively the responsibilities and carry out the duties of Divisional Officer of all marine engineering personnel and Marine Engineer Officer.

3. The responsibilities of the Marine Engineer Officer are detailed in BRd 3000, Marine Engineering Manual, Chapter 1, Section 1, with the boundaries of responsibility between the weapon and marine engineering departments for equipments defined in BRd 0300 (SS & SM) and BRd 3000.

4. To ensure that a high standard of efficiency is maintained within their department, the Marine Engineer Officer is to work closely with the other heads of departments (see also 1021). In particular they are to:

- a. Ensure all appropriate officers are aware of the operational requirements and performance capabilities and limitations of the systems and equipment in their charge.
- b. Inform Commanding Officer and Operations Officer of defects which affect propulsion and platform system performance.
- c. Ensure that the Executive Officer and Operations Officer are kept informed of the requirements for system maintenance so that maintenance and repair programmes are effectively co-ordinated within the ship's programme. (See 0903.1 and 1020).
- d. Ensure that the Weapon Engineer Officer is kept informed of any degradation in the services supplied to weapon systems, i.e. electrical power supplies, conditioned ventilation, hydraulic power, chilled water and LP and HP air supplies for which they are responsible.
- e. Provide technical advice and assistance to other departments (see also 1021 and 1030).

#### **1042. Specific Duties**

1. In addition to their general duties the Marine Engineer Officer is accountable to the Commanding Officer for the performance of the following duties:

- a. Internal Battle Controller (Charge Engineering Function in Submarines).
- b. Noise Engineer Officer in accordance with BRd 9348 Art 0203. For Submarines this role is conducted by the Deputy Marine Engineering Officer.
- c. In Ships with High Voltage Power Systems they are normally to be the Authorising Engineer in accordance with BR 2000(52)(1).
- d. Ballast Water Management Officer in accordance with BRd167.

#### **1043. Station of the Marine Engineer Officer**

1. The station of the Marine Engineer Officer in action and emergency stations is to be that approved by the Commanding Officer, who is to be guided by the instruction in BR 2170(1), Ship CBRNDC Manual, Vol 1 (SS) / Vol 4 (SM).and the vessels specific BR 2170(7).

2. When the ship/submarine is entering or leaving harbour, and at other times when particular care is necessary in the operation of machinery under their charge, the Marine Engineer Officer's station in surface ships is normally to be the Ship Control Centre/Machinery Control Room/Manoeuvring Room or primary control position.

## **BRd 2**

They are to arrange for a suitably qualified person (DMEO or MEOOW1 qualified POET(ME) or above) to attend the bridge to monitor bridge machinery control and provide advice to the Command/MCR as appropriate. Alternatively, the Marine Engineer Officer may, with the approval of the Commanding Officer, be stationed on the bridge, but in any event should the Marine Engineer Officer consider that their presence is required elsewhere, they are to arrange that the Commanding Officer is informed immediately of their whereabouts.

### **1044. Hull and Watertight Integrity**

1. For Surface Ships, the Marine Engineer Officer is accountable to the Commanding Officer for the maintenance and integrity of the hull and fittings, including the stability, strength, watertightness, gas tightness and preservation of the whole hull structure of the ship, including all opening and operating mechanisms except for those openings which are the responsibility of the Weapon Engineer Officer.
2. For Surface Ships, the Marine Engineer Officer is to ensure that the ship's draught forward and aft is reported to the Commanding Officer and the Navigating Officer, for entry into the Ship's Log before sailing and on arrival in harbour. The MEO shall ensure that the vessel is operated within the operating restrictions indicated on Naval Authority Certificate (Structural Strength and Stability – NSSC).

### **1045. Propulsion Controls, Steering Gear, Engine Order Telegraphs, Sirens and Navigation Lights**

1. Before getting under way the propulsion controls, steering gear, engine order telegraphs, emergency communications, sirens, emergency / salvage equipment, navigation lights, davits and capstans are to be tested and proved fully functional by the Marine Engineer Officer, or other officer or responsible engineering rating nominated by them. The Marine Engineer Officer or their representative is to satisfy themselves, by actually working the steering gear, telegraphs and sirens, that they are free from obstruction and in good working order.
2. The report that the propulsion controls, steering gear, telegraphs, navigation lights and sirens are correct is to be made by the Marine Engineer Officer to the Commanding Officer at the same time as the propulsion machinery is reported ready for sea in accordance with BRd 3000 (surface ships) or Class SOPs (submarines)
3. Where two or more marine engineering ratings are allowed by complement for watch-keeping at each propulsion machinery control position the Marine Engineer Officer is to ensure that a record is kept of all orders received for starting, stopping and altering the revolutions of the propulsion machinery except when control is from the bridge or a machinery control system with automatic data capture is fitted. In coastal craft, minesweepers and motor driven craft 47.5m long or less, engine telegraph and revolution orders need not be recorded (See BRd 3000, Marine Engineering Manual).

4. **Emergency Communications.** A recognised emergency method of communication between the propulsion machinery control position(s) and the bridge is to be arranged by the Marine Engineer Officer so that:

- a. The Commanding Officer, or Officer of the Watch (OOW), can be informed that an engine or engines have had to be stopped owing to circumstances beyond control.
- b. The Commanding Officer, or OOW, can be asked for permission to stop immediately an engine or engines to prevent serious damage to the machinery.
- c. Main engine orders may readily be passed if telegraphs fail; and
- d. The Commanding Officer, or OOW, can override the emergency stop/slow in the interests of ship safety.

#### **1046. Danger of Damage, Injury or Inefficient Plant Operation**

1. The Marine Engineer Officer is to represent to the Commanding Officer or to the Officer of the Watch anything which is being done, or which is ordered to be done, which, in their opinion, creates a risk of damage to machinery or systems, an increase in through life cost for equipment, injury to personnel, or which will result in inefficient use of fuel or resources. Having made this representation they are to be guided by the directions contained in BRd 3000, Marine Engineering Manual.

#### **1047. Machinery Trials**

1. The Marine Engineer Officer is responsible for ensuring that machinery trials are carried out as laid down in BRd 3000, Marine Engineering Manual.

#### **1048. Requisitioned or Hired Merchant Ships**

1. In requisitioned or hired merchant ships in commission or ordered by the Defence Council to be commissioned to which BRd 3000 may be issued for guidance and in which the machinery is run by the mercantile crew, the instructions in BRd 3000 are to be observed as far as they are applicable to the machinery and propulsion plant fitted in the ship and are not opposed to the regulations and instructions issued to the mercantile crews, or those under which crews are serving.

#### **1049. Fuelling**

1. Marine Engineer Officers are to ensure that all fuelling operations are conducted in accordance with the instructions contained in the relevant section of the following publications:

DLF Defence Logistics Framework  
 BR 875, Regulations for Royal Fleet Auxiliaries  
 BR 1754, Safety Regulations for Storing and Handling Petroleum Oils and Lubricants, and certain other hazardous stores in HM Ships  
 BRd 3000, Marine Engineering Manual

## **BRd 2**

BRd 3009, Naval Oils Manual

BRd 0167 Fleet SHE Manual

ATP 16, Replenishment at Sea

JSP 317, Joint Service safety Regulations for the Storage and Handling of Fuels and Lubricants (POL)

### **1050. Nuclear Propulsion Safety**

1. The Marine Engineer Officer of a submarine is the professional advisor to the Commanding Officer on nuclear propulsion safety matters.
2. They are responsible to the Commanding Officer for the integrity and efficient operation of the propulsion plant containment and the implementation of the appropriate containment state.
3. He/She will assume the duties of the Environment Control Officer (BRd1326) and Radiation Safety Officer (BRd9465). These duties may be delegated to the deputy if qualified in accordance with the NRPA's Safety Management Arrangements.
4. He/She is responsible in conjunction with the Executive Officer for training and exercising the crew in emergency procedures required to combat all hazards that can arise from the nuclear propulsion plant.
5. He/She is responsible to the Commanding Officer for the correct implementation of Safety Management Arrangements pertaining to Naval Reactor Plant.

### **1051–1080. Unallocated**



## SECTION IV - THE WEAPON ENGINEER OFFICER (SURFACE SHIPS)

### 1081. General Duties

1. The Weapon Engineer Officer/Senior Weapon Engineer is responsible to the Commanding Officer for:
  - a. The material performance, availability, maintenance, safety, security and custody of all individual weapon systems and equipment in their charge, as defined in BRd 0300, Fleet Weapon Engineering Manual (Surface Ships).
  - b. The material performance and availability of the ship's Combat System, Mission Systems, Communications Systems and all other systems for which the WE Department has responsibility.
  - c. When serving as the Explosives Responsible Officer, complying with Chap 28 and BR 862.
2. They are the head of the weapon engineering department and, as such, are responsible to the Commanding Officer for the administration, organisation and good order of their department, but through the Executive Officer for matters involving general organisation of the ship, discipline and welfare of the whole ship's company and the co-ordination of training. Their responsibilities as head of an engineering department are defined in Chapter 10 Section II.
3. The responsibilities of the Weapon Engineer Officer are detailed in BRd 0300. The boundaries of responsibility between the weapon and marine engineering departments for equipments are defined in BRd 0300 and BRd 3000, and those between the weapon engineering and warfare department are defined in Fleet and Ship's Standing Orders.
4. To ensure that a high standard of efficiency is maintained within their department the Weapon Engineer Officer is to work closely with the other Heads of Department, and officers of the Warfare Department (See also 1021). In particular they are to:
  - a. Ensure all appropriate officers are aware of the performance capabilities and limitations of the systems and equipment in their charge.
  - b. Inform the Commanding Officer and Operations Officer of defects which affect combat and communications system performance.
  - c. Ensure that the Executive Officer, Operations Officer and Marine Engineer Officer are kept informed of the requirements for system maintenance and enhancement so that maintenance, repair and capability update programmes are effectively coordinated within the ship's programme.
  - d. Ensure that the Marine Engineer Officer is aware of the requirement for services for which they are responsible, i.e. supplies of electrical power, conditioned ventilation, hydraulic power, chilled water and LP and HP air supplies.
  - e. Provide technical advice and assistance to other departments (See also 1021 and 1030).

## **BRd 2**

- f. Carry out weapon systems performance analysis in collaboration with the Operations Officer.
- g. Ensure that the Operations Officer is kept informed of the state of operator training on systems for which the Weapon Engineer Officer has operational responsibility so that the former can carry out their coordinating duties for weapon and communication systems training. (See 1962 sub para 2).
- h. Ensure that routine operator checks, and performance checks, are conducted correctly on those systems for which they have responsibility for operation. They are to keep the Operations Officer informed of the state of these checks so that the latter can carry out their coordinating duties for these checks. (See 1962.sub para 2). For other systems employing weapon department personnel as operators, they are to provide personnel as operators to enable the Operations Officer to carry out routine operator checks and are to ensure that performance checks on these systems are carried out correctly.
- i. Make full use of the assistance which warfare officers are required to give them (see 1966).
- j. Prior to getting under way, to check and report to the Commanding Officer that all navigation, communications and other equipment for which they are responsible are functioning correctly to allow the ship to safely proceed to sea in accordance with BRd 0300.

### **1082. Specific Duties**

- 1. In addition to their general duties the Weapon Engineer Officer is accountable to the Commanding Officer for the performance of the following specific duties.
  - a. Command Adviser. See BRd 0300.
  - b. Explosives Responsible Officer, (except on QEC and some Minor war Vessels). See 2802 and JSP 862.
  - c. Radiation Safety Officer. See JSP 392 Pt1, Section 2 and BRd 0300.
  - d. Laser Safety Officer. See JSP 390 and BRd 0300.
  - e. CBRN Adviser. See BR 2170 (1).
  - f. Signature Reduction Officer. See BRd 9348.
  - g. TEMPEST Control Officer. See BRd 0300.

**1083. Station of Weapon Engineer Officer**

1. In their role as Command Adviser the Weapon Engineer Officer is to close up with the Commanding Officer at Action Stations, Emergency Stations and as otherwise required.
2. When the ship is entering or leaving harbour and at other times when particular care is necessary for the safe navigation of the ship, their station is to be that approved by the Commanding Officer, who is to be guided in their choice by the need for efficient communication between Command and the Weapon Engineer Officer and between Weapon Engineer Officer and ship staff available for emergency repairs. Should the Weapon Engineer Officer consider that their presence is necessary elsewhere they are to proceed but ensure that the Commanding Officer is informed immediately of their whereabouts.

**1084–1090. Unallocated**

## **SECTION V - THE WEAPON ENGINEER OFFICER (SUBMARINES)**

### **1091. General Duties**

1. The Weapon Engineer Officer is responsible to the Commanding Officer for:
  - a. The material performance, availability, maintenance, safety, security and custody of all Combat System equipment, tactical weapons (including small arms), weapon discharge equipment, communications, navigation and command systems and additionally in SSBNs, the Strategic Weapon System. The responsibility for sensors and communications extends to the associated masts, periscopes, streamable aerials and includes the equipment specific operating gear, and associated control and indication.
  - b. The material performance and maintenance of all office machinery and non-operational Information Systems; users are responsible for safe custody and security.
  - c. The efficient operation of the Combat System and, in SSBNs, the Strategic Weapon System.
2. They are the head of the weapon engineering department and, as such, are responsible to the Commanding Officer for the administration, organisation and good order of their department, but through the Executive Officer for matters involving general organisation of the submarine, discipline and welfare of personnel and co-ordination of training. They are the professional Weapon Engineer Officer and are to ensure that proper professional engineering standards and practices are adhered to in the upkeep and maintenance of weapon systems. Primary and secondary purposes, accountability, authority and key tasks are detailed in Chapter 2 of BR 300(SM).
3. The boundaries of responsibility between the weapon and marine engineering departments are defined in BR 3000.
4. To ensure that a high standard of efficiency is achieved they are to work closely with the Marine Engineer Officer and the Executive Officer. In particular they are to:
  - a. Ensure that all are aware of the operational requirements and performance of the equipments for the material state of which they are responsible.
  - b. Inform the Executive Officer of any defects which affect performance.
  - c. Ensure that the Executive Officer is kept informed of the requirements for system maintenance, so that maintenance and repair programmes are effectively co-ordinated with operational programmes.
  - d. Be aware of the operational training programme and assist the Executive Officer in the co-ordination of all weapon system training and drill and the collective training of the officers and men who man the submarine's operational equipment, making available such of their staff as required.
  - e. Make full use of the assistance which warfare officers are required to give them.

5. They are the professional weapon system adviser to the Commanding Officer and as such are to be aware of the capabilities and use of the system and, in SSBNs, Strategic Weapon System matters.
6. In SSBNs they are adviser to the Commanding Officer on strategic weapon target plans, conduct of launch instructions and nuclear weapon release procedures.
7. They are the Signature Reduction Officer, responsible for ensuring that the submarine operates with the minimum signature through an effective Signature Reduction Organisation, calling on the assistance of the Executive and the Marine Engineering Officer, as required.
8. In collaboration with the Executive Officer they are to ensure that any detectable emission from any equipment undergoing maintenance, repair or test takes place only in accordance with the detectable emission policies currently in force.
9. On all occasions before getting underway they are to satisfy themselves that all radio, navigational and other equipment for which they are responsible, including internal communication (except those of which the Marine Engineering Department is the sole user) necessary for the safe conduct of the submarine when underway, is functioning correctly and they are to make a report to this effect to the Commanding Officer.

#### **1092. Nuclear Weapon Safety**

1. The Weapon Engineer Officer of a SSBN is the professional advisor to the Commanding Officer on nuclear weapon safety matters.
2. He/She is responsible to the Commanding Officer for the integrity of the nuclear weapon and all supporting systems and equipment ensuring that the system is operated within extant instructions and guidance.
3. He/She is responsible in conjunction with the Executive Officer for training and exercising the crew in emergency procedures required to combat all hazards that can arise from the nuclear weapon.
4. He/She is responsible to the Commanding Officer for the correct implementation of Safety Management Arrangments pertaining to nuclear weapon system.

#### **1093. Explosives and Safety**

1. They are responsible to the Commanding Officer as the Explosives Responsible Officer for:
  - a. The safety of all small arms and explosives including pyrotechnics on board and, in SSBNs, nuclear weapons. They become responsible from the moment of transfer or loading, as defined in approved standard operating procedures.

## **BRd 2**

b. Ensuring that the regulations contained in JSP 862 Part 2, MoD Maritime Explosive Regulations (Submarines) and, in SSBNs, the regulations contained in Chief of Strategic System Executive CB 8890 Instructions for the Safety and Security of the Trident II D5 Strategic Weapon System in HM Submarines are complied with at all times.

c. Ensuring that only the authorized standard procedures are used in all handling, operating, testing, and maintenance of all weapons and weapon systems.

2. They are responsible to the Commanding Officer for ensuring that the ship's organisation complies with the regulations in JSP 862 part 2, MoD Maritime Explosive Regulations (Submarines).

3. They are to advise the Commanding Officer of the possible effects of any abnormal incident involving weapons, particularly strategic missiles or re-entry systems.

4. In SSBNs, they are the Nuclear Weapon Safety Officer.

### **1094. Watertight Integrity**

1. They are responsible to the Commanding Officer for the watertight integrity of hull openings that form part of weapon systems.

### **1095. Training**

1. They are responsible to the Commanding Officer for the state of training of all personnel maintaining weapon systems and for the state of training of all personnel operating those weapon systems for which they are responsible for efficient operation. In carrying out this responsibility they are to ensure that the Executive Officer is kept informed of the state of training of the operators and availability to the weapon system so that the latter can carry out their co-ordinating duties for weapon system training. They are to assist the Executive Officer in the training of all weapon engineering department personnel to fulfill their role in the command and attack teams (including blind pilotage).

2. They are responsible, in conjunction with the Executive Officer, for training and exercising the crew in the emergency procedures required to combat all hazards that can result from the weapons carried.

### **1096. Administration**

1. They are to ensure that the equipment, stores, spare gear, test equipment, and documentation, for which they or members of their department are responsible, are properly accounted for and mustered.

2. On being relieved, they are to ensure that the transfer of stores, fittings, spare gear, drawings and books in the charge of the weapons department, is carried out in accordance with current instructions. They are to carry out an inspection, in the presence of the relieving officer, of all major items of equipment in their charge.

**1097. Weapon Practice**

1. The Weapon Engineer Officer in conjunction with the Executive Officer is responsible to the Commanding Officer for:

- a. The planning of, and preparation for, weapon practice firings.
- b. Arranging and conducting briefings for weapon practices.
- c. The conduct of weapon practice firings and simulated firings or countdowns.
- d. Ensuring that any recommendations arising from analysis of weapon practices, which are within their powers to accomplish, are acted upon.

**CHAPTER 11****THE AIR ENGINEER OFFICER**

(MOD Sponsor: NAVY FGEN NAVN EPP SO2)

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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- 1101. Roles and responsibilities of Deputy Assistant Chief of Staff (Air Engineering)
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## CHAPTER 11

## THE AIR ENGINEER OFFICER

**1101. Roles and Responsibilities of Deputy Assistant Chief of Staff (Air Engineering)**

1. The Deputy Assistant Chief of Staff (Air Engineering) (DACOS(AE)) is the Chief Air Engineer (CAE) to the Navy Command (NC) Aviation Operating Duty Holder (ODH), Director Force Generation. DACOS(AE) is also the NC Aircraft Operating Authority (AOA) Head of Air Engineering. In addition to their responsibilities as CAE to ODH in accordance with the MAA Regulatory Publications (MRP) Regulatory Article (RA) 1023, DACOS AE is responsible for the following:

- a. Providing the NC Aviation ODH with assurance that Air Systems and their associated Airborne and Ground Support Equipment within the NC Aviation Area of Responsibility (AoR) are being maintained in accordance with extant regulations, Naval Aviation Orders and procedures;
- b. Providing the NC Aviation ODH technical advice on Risks to Life (RtL) concerning Air Systems and Ship Air Integration (SAI) within their area of responsibility and where the NC Aviation ODH bears full command Duty of Care responsibilities for RN & RNR personnel;
- c. Providing assurance of Continuing Airworthiness (CAw) within the NC Aviation ODHs AoR and the effectiveness of subsequent Continuing Airworthiness Management (CAM) activities;
- d. Acting as the NC Aviation Customer with DE&S through the implementation of the Command Acquisition Support Plan (CASP) agreements to ensure capable, safe and airworthy aircraft are generated for use at the readiness levels required by the Command Plan;
- e. Maintaining appropriate links with other ODH organisations, and with the MAA and DE&S to ensure equipment risks affecting Ship Air Integration are managed appropriately and that information on common problems and risks are shared;
- f. Exercising editorial control of all RN AE & SE mid-level policy and Naval Aviation Orders (NAOs) published in BRd 763, BRd 765, BRd 766 and BRd 767;
- g. Ensuring that the support concepts and procedures utilised within NCAOA Units are suitable for achieving optimal aircraft availability and operational capability;
- h. Ensuring effective liaison with other Commands and organisations which have authority over RN Air Systems or engineering personnel to ensure that engineering standards and practices are maintained;
- i. Acting as the RN joint Training Requirement Authority (TRA) to ensure that Role Performance Statements for RN AE & SE personnel are maintained and Training Providers (e.g. RNAESS, ETS) outputs support the NC AOA;
- j. Ensuring that 1710 NAS is capable of delivering appropriate air engineering and scientific support capabilities, including repair, modifications, monitoring, NDT, forensic

and materials support, to meet the RN's and JHC's current and contingent tasks in peace, crisis and conflict;

k. Ensuring the effectiveness and influencing the development of the RN AE and SE support capability ashore and afloat to ensure that it is coherent with future branch structures, policies and aircraft/equipment support requirements;

l. Conducting competence interviews of all prospective Ship and Air Station Air Engineer Officers, CO 1710 NAS and any other person required to exercise Air Safety responsibilities within NCAOA, and authorise as appropriate the use of their delegated authority;

m. In conjunction with the Career and Requirements Managers, developing the air engineering sub-specialisation, ensuring that its members strive to gain the professional skills required for assignments at all levels.

## **1102. Roles and Responsibilities of the Air Station Air Engineer Officer**

1. The Air Engineer Officer (AEO) of an Air Station is accountable for all NCAOA aircraft engineering and engineering support functions which lie within their AoR. On successful demonstration of their competence they will be granted authorisations by DACOS (AE).

2. The Air Station AEO is functionally accountable to DACOS(AE) for ensuring engineering standards and practices are maintained in Squadrons and Units within their AoR.

3. The Air Station AEO is accountable to their Commanding Officer (Delivery Duty Holder) for:

a. Exercising delegated Air Safety responsibility as the Chief Air Engineer (CAE) in accordance with MRP RA 1023;

b. Exercising delegated airworthiness as the Military Continuing Airworthiness Manager (Mil CAM) as head of the Continuing Airworthiness Management Organisation (CAMO) in accordance with the MRP Part M;

c. Exercising the duties of the Accountable Manager (Maintenance) (AM(M)) for Air System and ground support equipment maintenance within their Military Maintenance Organisation (MMO) in accordance with the MRP Part 145;

d. Assessing the competence of engineering and Survival Equipment (SE) personnel within their AoR, and granting delegated authorisations accordingly;

e. Advising on the engineering aspects of all aircraft incidents and accidents.

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4. The Air Station AEO as the Air Engineering Department (AED) HoD is responsible for:
  - a. Administering engineering training facilities to ensure that AEOs, AE and SE Ratings and Aircrew Officers undergoing aircraft maintenance training are trained in accordance with authorised policies and procedures;
  - b. Conducting Certificate of Competence assessments of AEOs under training in accordance with the Manual of Air Engineering Training (MNAET);
  - c. Maintaining a Quality Management System (QMS) in accordance with BRd 763 to ensure that standards and practices are maintained by the AED;
  - d. Assessing and making stable hazards associated with salvaging, or assisting specialist teams to salvage, aircraft which have crashed within the Air Station or local area as directed by Command;
  - e. Maintaining and managing Bulk Fuels, Lubricants and Associated Products (FLAP) Installations and FLAP Handling Equipments in accordance with the relevant sections of JSP 317 and JSP 886;
  - f. Provide career advice and guidance to Air Engineering and Survival Equipment branch personnel;
  - g. Preserving the welfare and morale of AED personnel;
  - h. The execution of Health and Safety responsibilities delegated from their Commanding Officer in addition to their Line Manager responsibilities in accordance with JSP 375 Volume 1.

### 1103. Roles and Responsibilities of the Ship Air Engineer Officer

1. The Ship AEO is accountable to their Commanding Officer (CO) for all engineering support and functions which lie within their AoR. On successful demonstration of their competence they will be granted authorisations by DACOS (AE).
2. The Ship AEO is functionally accountable to DACOS(AE) for ensuring engineering standards and practices are maintained within their area of responsibility.
3. The Ship AEO, as the AED HoD, is responsible to their CO for:
  - a. Providing advice and assistance to the CO and other HoDs on air engineering matters affecting the Ship;
  - b. Acting as the Aircraft Post Crash Management Command Advisor with respect to the engineering aspects of all incidents and accidents involving aircraft operating from the Ship;
  - c. Monitoring and providing support to cleansing of aircraft that have been subject to CBRN contamination;

- d. Maintaining security and stowage of all aircraft, associated equipment, parts and materials within their AoR and advising on arrangements for all other aircraft, associated equipment, parts and materials in the Ship;
  - e. The execution of Health and Safety responsibilities delegated from their Commanding Officer in addition to their Line Manager responsibilities in accordance with BRd 167 and BRd 10;
  - f. Conducting the duties of Explosives Responsible Officer (ERO) in accordance with BRd 862(1);
  - g. When operating as part of a Task Group, exercising responsibility as the Task Group AEO (in accordance with BRd 766) or Battlestaff SO1N4AE;
  - h. Assessing the competence of engineering and SE personnel within their AoR, and granting delegated authorisations accordingly;
  - i. Preserving the welfare and morale of AED personnel;
  - j. Provide career advice and guidance to Air Engineering and Survival Equipment Branch personnel.
4. The Ship AEO is Duty Holder facing to the Platform and Aviation Duty Holders and is responsible for:
- a. Advising the CO on environmental aspects of safe operation from the maritime platform, including engineering standards and practices of embarked units;
  - b. Ensuring the safe movement, stowage and security of aircraft in the hangar, on aircraft lifts and on the flight deck;
  - c. Maintaining an Internal Quality Assurance (IQA) system in accordance with BRd 763 to ensure that standards and practices are maintained by all embarked Squadrons and Units within their AoR as directed by Navy Command and delegated by the Air System Mil CAM or AM(M);
  - d. Ensuring that embarked personnel receive appropriate training to safely operate Ship equipment that interfaces with embarked aircraft.
5. The Ship AEO as the AED Accountable Manager (Maintenance) is responsible for:
- a. Managing the organisation and operation of the AED MMO in accordance with authorised policies and procedures in order to support the flying task, preserve airworthiness, and achieve the required aircraft availability and readiness targets;
  - b. Ensuring dissemination and compliance with technical information and local orders;
  - c. Liaising with other Ship departments to ensure that facilities and services provided to support aviation, or which interface with aircraft, remain compliant with regulation and policy;

d. Maintaining a QMS in accordance with BRd 763 to ensure that standards and practices are maintained by the AED.

6. The Ship AEO, if authorised as Deployed Chief Aircraft Engineer (or Lead Aircraft Engineer) is responsible to the relevant Aviation DH for those responsibilities that have been delegated per platform type by the Air System DDH in consultation with the Mil CAM.

#### **1104. Roles and Responsibilities of the Squadron Air Engineer Officer**

1. The Squadron AEO is the senior officer responsible for Squadron air engineering duties. On successful demonstration of their competence they will be granted authorisations by their Air Station AEO for NCAOA Squadrons or their appropriate command chain equivalent. Responsibilities of the 1710 NAS Repair Manager, although equivalent to a Squadron AEO, will differ from those detailed in the following paragraphs.

2. The Squadron AEO is to have direct access to the Ship or Platform Senior Air Engineer and Air Station AED Senior Support Engineer for guidance and support on all engineering matters.

3. The Squadron AEO is responsible for:

- a. Ensuring that air engineering standards and practices are maintained;
- b. Ensuring the preservation of airworthiness of Squadron aircraft through adherence to the Air System Documentation Set;
- c. Ensuring the preservation of the material state of Squadron aircraft through the utilisation of corrosion protection and husbandry schedules;
- d. Providing serviceable aircraft, armed in the required role, with the required fuel state at the required time and place to meet the flying commitment;
- e. Managing Squadron engineering workforce;
- f. Directing the overall maintenance resources and weapon requirements to meet the flying task in the most efficient manner;
- g. As Aircraft Maintenance Manager, be a member of the CAMO in accordance with the Platform Continuing Airworthiness Management Exposition;
- h. Supporting Certificate of Competence assessment boards of AEOs under training in accordance with the Manual of Air Engineering Training (MNAET);
- i. Assessing the competence and authorising Squadron engineering personnel;
- j. Supervising the engineering training of Squadron personnel;
- k. Ensuring the safe custody and correct stowage of all Squadron aircraft and equipment;

- l. Ensuring the safe custody and correct maintenance of all materiel (including associated maintenance documentation) on their charge in accordance with relevant documentation;
- m. Advising on all engineering matters and undertaking engineering Risk Management, including the management of relevant Data Integrity issues;
- n. Advising on the air engineering aspects of Air Safety, including a member of the Delivery Duty Holder Review Groups (DDH RGs).
- o. Coordinating the Squadron Safety, Health, Environmental and Fire Committee as directed;
- p. Undertaking the role of Aircraft Maintenance Manager within the MMO, exercising responsibility for the maintenance output of their Squadron;
- q. Acting as the delegated owner of the Squadron QMS in accordance with BRd 763;
- r. Conducting the duties of the ERO (Shore) when ashore in accordance with DSA 03.OME Part 2 and the Specialist Air Explosives Responsible Officer (SAERO) when embarked in accordance with BRd 862(1);
- s. Disseminating Technical Information (TI) to all relevant personnel;
- t. Issuing Air Engineering Routine Orders (AEROs), engineering reports and signals as required;
- u. Ensuring that spares and stores placed in their charge are used solely for the purposes for which they are supplied and ensuring that demands for spares and equipment are consistent with the task;
- v. Undertaking the role of Senior Divisional Officer and advising upon divisional matters pertaining to all Squadron officers and ratings, unless detailed otherwise in Unit Standing Orders.

#### **1105. Roles and Responsibilities of the Air Station Maintenance Test Pilot/Observer**

1. The Air Station Maintenance Test Pilot (MTP) and Maintenance Test Observer (MTO) provide the Air Station/Establishment with a dedicated Flight Testing capability. On successful demonstration of their competence (as both an AEO and as a Pilot/Observer) they will be granted authorisations by their Air Station AEO or DACOS(AE). Specific responsibilities will be laid down in Station Orders, but their responsibilities will include the following:

- a. Providing independent airworthiness advice to the Mil CAM by conducting Maintenance Test Flights (MTFs) and Weapon System Effectiveness (WSE) assessments;

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- b. Providing independent quality assurance to the appropriate Mil CAM for Air Station aircraft;
- c. Providing expert technical advice to support Command, CAMO, Type Airworthiness Authority and Squadrons;
- d. On behalf of the Mil CAM, co-ordinate the annual operator led SOI reviews and sponsor the Flight Test Schedule;
- e. On behalf of the Deputy Mil CAM, ensure the requirements of MTF and Airworthiness Review independent airworthiness assurance activities are coherent;
- f. Managing the Vibration Control Cell (VCC) and the Health and Usage Centre (HUC) in order to monitor the vibration signatures and usage spectrum of the aircraft fleet;
- g. Conducting technical training for Squadron Test Pilots/Observers, Flying Maintainers and Vibration Analysts;
- h. Where applicable, providing flight tests and technical advice for aircraft in Depth maintenance facilities.

## CHAPTER 12

### THE LOGISTICS OFFICER AND OFFICER CONDUCTING LOGISTICS DUTIES

*MOD Sponsor: (NCHQ ACOS LOGS & INFRA)*

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

#### Para

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## CHAPTER 12

## THE LOGISTICS OFFICER AND OFFICER CONDUCTING LOGISTICS DUTIES

Further detailed instructions are contained in:

BR 18	Management and Accounting Instructions for Non Public Funds
BR 93	Naval Service Logistics Management
BR 1991	Instructions for the Royal Naval Medical Service
BRd 2002	Maritime Operational Logistics
JSP 441	Managing Information in Defence
JSP 456	Defence Catering Manual
JSP 462	Financial Management and Charging Policy Manual
JSP 752	Tri-Service Regulations for Expenses and Allowances
JSP 754	Tri-Service Regulations for Pay
JSP 760	Tri-Service Regulations for Leave and Other Types of Absence
JSP 800	Defence Movement and Transport Regulations
JSP 830	Manual of Service Law
JSP 891	Imprest Accounting, Banking and Control Accounts Manual
JSP 916	MOD Tax and Duty Manual

The Defence Logistics Framework (replaces JSP 886)

Logistics Compliance Management Tool (CMT)

Fleet Logistics Department Standing Orders/MMPP Logistics Handbook

### 1201. The Logistics Officer/Officer in Logistics Professional Command

1. The Logistics Officer in Logistics Professional Command is responsible to the Commanding Officer for the logistics organisation, including standards and practices, the efficient operation of equipment and for the training of personnel. They are to do their utmost to ensure that the duties required of them and of the department detailed in these regulations and any other instructions are correctly and efficiently performed. They are to ensure that the mandatory checks and controls are carried out in accordance with current regulations and policy through the use of the Logistics Compliance Management Tool (CMT).

2. In Capital Ships, an SO2 will be assigned as the Logistics Officer<sup>1</sup>. This post will attract Logistics Professional Command status whilst overall Command of the Logistics Department remains with the Commander Logistics. The LO holds all responsibilities of Logistics Professional Command pertaining to the day-to-day running of the logistics department.

3. They are to have the direction, under the control of the Commanding Officer, of all officers of the logistics specialisation appointed for logistics duties, other than those forming part of an embarked staff, and are to allocate them to such duties as they think fit, subject to the requirements of articles **1212-1213**.

4. They are to have under their control all Logistics Branch ratings borne and Naval Canteen Staff afloat, except those forming part of an embarked staff retinue. They are also to have control of the ratings detailed for duty in their department whilst so employed.

<sup>1</sup> Previously termed the Deputy Commander Logistics (DCL) in the QEC.

5. In ships with a Medical Branch rating but with no permanently appointed Medical Officer, the Commanding Officer will nominate the Logistics Officer (Executive Officer in Submarines) as Officer in Medical Charge (OiMC), who will be responsible for all non-clinical matters including the management and administration of the department, Medical Organisation for Action and to act as the Medical Stores Officer (see also articles **1531-1535** and BR 1991, *Instructions for the Royal Navy Medical Service*). When embarked these duties may be delegated to the Medical Officer, but this is to be a Command decision.

6. Functions detailed in this Chapter are also to be fulfilled by RM Officers and Imprest Holders in compliance with the instructions and references detailed at the start of this Chapter.

## **1202. Responsibilities of the Logistics Officer / Unit Logistics Officer**

1. The detailed responsibilities of the Logistics Officer are contained in the References quoted at the beginning of this Chapter and other Ministry of Defence instructions. Their general responsibilities are amplified in the following articles. Those posts deemed to be in Logistic Professional Command are laid down in BR3(1) Appendix 2 to Annex 59A.

2. A Logistics Officer appointed in Logistics Professional Command may be required to undertake certain extra whole ship duties. Commanding Officers are to exercise discretion in striking a proper balance between such duties and the Logistics Officer's primary function, that of Head of Department and their personal accounting responsibilities, and in so doing should ensure that this primary function is not jeopardised. An officer appointed in Logistics Professional Command is not embarked to undertake secretarial or correspondence duties, but, as the *de facto* HR management, welfare support and administrative experts, they are to be available to advise the Command on these and legal matters when required.

## **1203. Sustainability Issues**

1. The Logistics Officer is responsible to the Commanding Officer for all HR duties and logistics functions onboard as outlined in this Chapter, including obtaining such supplies of cash, provisions and other materiel for which they are the custodian, and are required to ensure that the ship is fully equipped for the mission or contingent task for which it is, or may be, directed to undertake.

2. The Logistics Officer is responsible for:

- a. Ensuring the security of all public cash and documents which possess a cash exchange value and financial governance in accordance with Ministry of Defence regulations.
- b. Ensuring the care and preservation of all stores in their custody.
- c. The receipt and issue of such stores being accounted for in accordance with Ministry of Defence regulations to ensure correct asset management.
- d. Acting as the manager for all logistics information systems. They are also to ensure that fall back records are correctly stowed and preserved.

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e. Identifying and managing logistic risk to ensure the operational capability of the unit is logistically supported so as to be able to conduct current and likely tasking.

3. The Logistics Officer is to keep the Commanding Officer fully informed of the state of the materiel under their Professional Command and any logistic risk to OC. In seagoing ships and submarines, and elsewhere if stipulated, they are to furnish the Commanding Officer with a Command Logistics and Sustainability Report (CLSR) at least fortnightly; the format of which is held within the Compliance Management Tool portal.

### 1204. Cash and Pay

1. The Logistics Officer/Unit Imprest Records Officer is responsible for the public chest and for all receipts and disbursements of public funds, and for accounting for them direct to the Ministry of Defence. They are to obtain the Commanding Officer's authority for any purchase, payment or issue which is not specifically authorised by these regulations or other Ministry orders. The Commanding Officer is, however, to give such directions as they see fit to the Logistics Officer/Unit Imprest Records Officer to act on their behalf in respect of purchases of provisions and stores locally in accordance with individual letters of financial delegation.

2. The Logistics Officer/Unit Imprest Records Officer is responsible for taking all practicable steps to ensure that all JPA records are kept correctly, and that all information affecting pay accounting is promptly and accurately transmitted to the JPA System.

### 1205. Catering Services

1. The Logistics Officer is responsible to the Commanding Officer for the Catering Services organisation of the unit, for the messing of the officers and the ship's company and for management of all Catering Services compartments. In these duties they are to comply with the detailed instructions in JSP 456, The Defence Catering Manual, and other Ministry of Defence regulations.

2. When a contract caterer is employed, the Logistics Officer is responsible to the Commanding Officer for the monitoring and supervision of the contractor's performance in accordance with the appropriate enabling contract.

### 1206. Supply Chain

1. The Logistics Officer is responsible to the Commanding Officer for the Supply Chain organisation of the unit, for the storerooms, issue centres and offices connected therewith. The ranges of materiel for which they are responsible are laid down in the Defence Logistics Framework (DLF).

2. In tendered vessels, the responsibilities at article **1206.1** above are fulfilled by a Warfare Lieutenant as nominated in the Unit Establishment List (usually the Executive Officer or First Lieutenant). It is their responsibility to liaise with the ship's Flotilla Commander Logistics staff for guidance and instruction.

3. The Logistics Officer is to maintain a close liaison with the technical departments to ensure that the Commanding Officer is presented with a fused logistics and engineering support picture encompassing defects, supply solutions and any risk(s) to unit OC.

### **1207. Service Funds**

1. In all units the Commanding Officer is the Sole Managing Trustee of all Service Funds in operation.
2. The Logistics Officer, as the Central Fund Advisor, is responsible to the Commanding Officer for ensuring that each fund has suitable trained and experienced manager, treasurer, supervising officer and verification team. To maintain oversight the Logistics Officer is not to fulfil any of these duties, but nevertheless less must ensure that:
  - a. Supervisory and verification functions are executed strictly in accordance with BRd 18.
  - b. That the results of Interim and Full Verifications represent accurately the financial state of the Funds and, via routine CMT Management Checks, is to record the results of all verifications held in the Verification Pack.
  - c. The Commanding Officer is advised on investment policy matters.
  - d. When necessary, appropriate remedial action is recommended to the Commanding Officer where Fund management requires improvement.
  - e. He/she receives, in seagoing ships and submarines, copies of Senior Ratings' Mess Account Statements to assist with his/her responsibilities for Service Fund Checks and Controls.

### **1208. NAAFI Canteens (Afloat)**

1. While the Executive Officer, as Chairman of the Welfare Committee, is responsible for the affairs of the Naval Canteen in relation to the welfare and routine of the ship, the Canteen Manager and his/her staff are members of the Logistics Department. The Logistics Officer is to fulfil the line management function for the Naval Canteen Service (NCS) staff for routine daily business and delivery of Canteen services to the ship in accordance with the NCHQ/NAAFI Service Level Agreement. The NCS Area Manager is responsible for the guidance of NCS staff in relation to NCS operating instructions and conduct.
2. The Logistics Officer is to ensure that the Canteen Manager's storing requirements are coordinated with the ship's storing programme and that they are kept sufficiently informed of the implications of the ship's future movements to enable them to ensure that an adequate level of canteen stocks are maintained, taking into account the risks associated with storing excessive volumes. To enable this, Canteen Managers should always be involved in Logistics Department weekly planning meetings.
3. Full details of the arrangements for the provision of canteen services on board HM Ships can be found in the Service Level Agreement between MOD and NAAFI.
4. The Fleet Logistics Officer is the Royal Navy's representative on the NAAFI Management Board.

## **1209. Supersession of Logistics Officers**

1. When a Logistics Officer in Professional Logistics Command (sea or shore)/Officer Conducting Logistics Duties (e.g., LO of a submarine or survey ship) arrives in post they are to complete various mandatory supersession musters of stores and cash in accordance with the criteria stipulated on the relevant CMT Supersession Certificate, which is normally to be rendered within 3 months of joining.
2. Capital Ship LOs (vice the Commander Logistics) shall render a Supersession Certificate to the Head of Department for onward submission to Tier 3 in accordance with the timescale above.
3. Tier 2 Supersession Certificates are to be rendered to the relevant Tier 3 Authority under covering letter of the Commanding Officer. Where a Commander Logistics holds Professional Command in a Capital Ship they are required to render a Supersession Certificate to the relevant Tier 3 Authority (see also Paragraph 1212.1a). Commanders in Professional Logistics Command at Naval Air Stations are to render their Supersession Certificates to NCHQ Deputy Director Logistics, copy to the Fleet Logistics Officer in NCHQ. Flotilla Commanders Logistics are not required to render a Supersession Certificate as one will be raised by the LO of the Base, who is in Professional Logistics Command ashore.
4. However, in those logistics appointments for which there is no mandated requirement to raise a formal Supersession Certificate, there is value in the incoming incumbent using the relevant sections of the check form to assist in assuring themselves of the state of their department.

## **1210. Temporary Absence/Incapacity of Logistics Officer**

1. In the absence of the Logistics Officer for any temporary cause, the Professional Command of the Logistics department is to be assumed by the Deputy Logistics Officer, if borne (article **1212.1b**). Should they be absent, it is to be assumed by the next senior logistics specialist on the trained strength holding the confirmed rank of Sub-Lieutenant or above, or in default of a logistics specialist, by an officer of another specialisation not below the rank of Lieutenant, as directed by the Commanding Officer.

## **1211. Death or Permanent Removal of the Logistics Officer**

1. If the Logistics Officer should die or be permanently removed for any reason, their accounts are to be completed and rendered by their successor in accordance with the instructions in JSP 456, *Defence Catering Manual*, *The Defence Logistics Framework*, and JSP 891 *Imprest Accounting, Banking and Control Accounts*. Verifications and musters of stores and cash are to be carried out in accordance with article **1209**.

## **1212. Logistics Staff**

1. To assist the Logistics Officer in discharging the foregoing responsibilities, the officers detailed below may be assigned to the ship:

- a. **The Deputy Logistics Officer.** A junior Logistics Officer will be assigned as the Deputy Logistics Officer in LPD/DD/FF or as a 'Section' Officer<sup>2</sup> in QEC. This officer is assigned primarily to assist the Logistics Officer or Deputy Commander Logistics in the supervision of the department and may be required to assume the duties of the Logistics Officer/Deputy Commander Logistics in their absence through sickness or other causes. Additionally, in secondary roles, the Deputy Logistics Officer in a DD/FF will provide the Command with administrative and legal support and will normally act as a Divisional Officer in the Logistics Division. They are not to take the title or responsibilities of Logistics Officer (Cash).
- b. **The Logistics Officer (Cash, Pay and Records) / RM Imprest Holder.** In certain ships and establishments where the existing establishment makes such an arrangement practicable, a Warrant Officer, confirmed Sub-Lieutenant or more senior Logistics specialist, on the advice of the Logistics Officer, may act as Logistics Officer (Cash, Pay and Records). The Logistics Officer is, however, to retain the overall responsibility for public money, even if the conditions are satisfied in which a Logistics Officer (Cash, Pay and Records) could be appointed. This does not apply in the case of RM Imprest Holders who are selected from SO(LE) officers strength and are trained specifically to fulfil the role.
- c. **The Logistics Officer (Catering Services) / The Logistics Officer (Supply Chain).** In certain ships and establishments a Logistics Officer (Catering Services) or (Supply Chain) may be assigned, who is responsible to the Logistics Officer for such duties contained in JSP 456, Defence Catering Manual or The Defence Logistics Framework, as appropriate, together with any other current regulations.
- d. **Other Officers.** Other officers assigned for logistics duties, including Assistant Logistics Officers undertaking Initial Logistics Officers Course (Maritime) training and completing the Assistant Logistics Officer's Work Place Training Guide, Reserve officers and ratings undergoing annual training and FTRS augmentees are to be employed as directed by the Logistics Officer.

### **1213. Executive (or Military) Assistant**

1. The Executive (or Military) Assistant to a Flag Officer, Commodore or Commanding Officer will be assigned to perform the duties laid down in their Terms of Reference for the senior officers to whom they will be accountable. With the employing officers approval they may be employed by the Logistics Officer (when borne) on wider Logistics Department duties provided that these do not prevent them carrying out their primary role.

### **1214. Logistics Duties in Ships Rendering Accounts Through a Parent Ship or Flotilla**

1. In ships rendering accounts through a parent ship or Flotilla, the Commanding Officer is personally responsible for logistics duties and for the public money in their charge. They may, however, detail another commissioned officer to be responsible under them for the custody and control of cash. Delegation of such duties will not by itself absolve the Commanding Officer from ultimate responsibility for the custody and proper disbursement of the public money.

<sup>2</sup> Depending upon the ship, these may be referred to be a variety of titles including LO (Personnel), LO (Sustainment), LO (Operations), LO (CPR), LO (Catering Services) and LO (Supply Chain)



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In no circumstances should such a duty be delegated to a rating (with the exception of Officers of the Day or Leading Chefs in the execution of their duties).

2. The Commanding Officer may also detail a commissioned officer, normally the Executive Officer, to exercise day-to-day supervision of the feeding of the ship's company and of the catering accounts, but the Commanding Officer remains responsible for ensuring that these duties are properly performed.

3. The Commanding Officer is to ensure that a report of general mess expenditure is included on the Command Logistics and Sustainability Report (see article 1203) is properly prepared and that it reflects the true state of affairs. They should watch the trends in expenditure revealed by these reports and ensure that over-expenditure is not being incurred through the excessive use of ingredients or of the more expensive victuals. They should also investigate any delay in rendering the monthly accounts since this is usually the first sign of a breakdown in organisation. They should scrutinise with particular care any monthly returns which need to be hastened.

4. The Commanding Officer should ensure that the requirements of article 1206 (responsibility for Supply Chain) and article 1203.3 (Command Logistics and Sustainability Report to the Commanding Officer) are met.

5. The Commanding Officer or, under their direction, the officers performing cash and catering duties, are to obtain guidance in the keeping and rendering of their accounts, in the regulation of their stocks and in dealing with the results of periodical money-counts, musters and stocktaking, from the Flotilla Commander Logistics. The responsibilities of Flotilla Commander Logistics towards these ships are laid down in article 1218.2.g.

6. Detailed regulations and instructions on these matters are contained in the References detailed at the start of this Chapter.

### **1215. Catering Duties in Ships Without an Officer Appointed in Logistics Professional Command**

1. In ships which do not have an officer of the Logistics specialisation appointed in Logistics Professional Command, the Commanding Officer is to nominate an officer for catering responsibilities. Under them, the daily duties are to be undertaken by a rating of the Catering Services specialisation.

2. Responsibility for taking cash may be delegated as in article **0863**.

3. The officer nominated for catering duties is to be guided by JSP 456, *Defence Catering Manual*.

4. Officers nominated for the first time for catering duties under this article are to make arrangements with the Flotilla Commander Logistics for suitable instruction to be given.

5. Officers nominated for catering duties are to note article **1203.3** concerning the requirement to render the ship's endurance and catering balance on the Command Logistics and Sustainability Report to the Commanding Officer.

## **1216. Supply Chain Duties in Ships Without an Officer in Logistics Professional Command**

1. In ships where store accounts are kept and no officer of the Logistics specialisation in Logistics Professional Command is borne, the Commanding Officer is to ensure that only one officer is responsible for the work and organisation of the Supply Chain staff or Nominated Senior Rating, as well as for the good order and cleanliness of storerooms. This officer is also to co-ordinate the storekeeping action which affects all classes of stores, e.g. storing ship, stock taking and ensure clear compliance and accountability.
2. The Naval Storekeeping Officer is to be guided by The Defence Logistics Framework, in consultation with technical and other departmental officers in the discharge of their duties. Where no subject matter expert is borne, the Storekeeping Officer is to seek guidance from their relevant Flotilla Tenders Organisation.
3. Officers nominated for the first time as Naval Storekeeping Officers are to make arrangements with the Flotilla Commander Logistics for suitable instruction to be given.
4. Officers nominated for Storekeeping duties are to note article **1203.3** concerning the requirement to render the Command Logistics and Sustainability Report to the Commanding Officer on the state of materiel in their charge.

## **1217. The Logistics Officer (Naval Air Squadron)**

1. In Naval Air Squadrons (NAS) where a Logistics Officer is assigned as Head of the Logistics Department, they are responsible to the Commanding Officer for the logistics organisation, including, the efficient operation of equipment, overseeing the administration of personnel and ensuring that the mandatory checks and controls are carried out in accordance with the Logistics Compliance Management Tool (CMT) and BR 93. Additionally the NAS Logistics Officer is to oversee and co-ordinate logistic support activity in the Squadron by providing advice to the Air Engineer Officer on the procedural aspects of air stores, coordinating unit movements and overseeing the Squadron Support Section in dealing with external organisations for Squadron embarkation and disembarkation. The Commander Logistics of the parent RNAS will provide logistic advice, guidance and oversight to the LO (NAS).

## **1218. Flotilla/ Royal Naval Air Station Commander Logistics (RNAS)**

1. A Commander Logistics will be appointed in Logistics Professional Command of each of Flotilla or Royal Naval Air Station.
2. **Duties of the Commander Logistics.** The Commander Logistics is the primary point of contact for unit Logistics Officers providing direction and guidance on logistics standards, practices, assurance and compliance. They are responsible for overseeing:
  - a. The logistics aspects of ship, submarine and Naval Air Squadron Force Generation (FGen). However, the maintenance of a unit's readiness and OC, including its logistics components, remains the responsibility of the unit's Commanding Officer and their organic Logistics Department.



b. Maintaining professional oversight of the logistics standards and practices of ships, submarines, NAS and shore units as laid down in BR 93. This includes both operating assurance (ie how a unit conforms to regulations) and, where appropriate, operational assurance (i.e., the ability for the Logistics Department to achieve success on operations in support of the Command Aim).

c. Logistics compliance and assurance through the conduct of T3 Fleet/Base Logistics Inspections (FLI/BLI) on T2 units at a frequency determined in BR 93 Article 0105 (b).

d. Provision of logistics advice to Flotilla, Base and Unit Command.

e. Ensure a valid T2 Supersession Certificate is held for those required to render them in accordance with article 1209.

f. The RNAS Commander Logistics also has responsibility for strategic infrastructure development and planning as well as the management of 'hard' and 'soft' Facilities Management (FM) contract delivery.

g. **Tenders.** The Commander Logistics is to:

(1) Carry, maintain, supervise or examine, according to their type, the accounts (both public and service funds) of those ships attached as tenders for accounting and compliance assurance purposes.

(2) Provide personnel and administrative support to tenders.

(3) Advise and instruct Commanding Officers, officers and senior ratings carrying out logistics duties in those tenders on the conduct of their duties.

(4) Keep the messing arrangements in such tenders under regular observation and advise the respective Commanding Officers and officers undertaking logistics duties as necessary, to ensure that the resources available are used to maintain the highest possible standard of diet within the authorised allowances.

(5) Conduct periodic visits to tenders, mentoring personnel fulfilling logistics functions as required.

(6) Keep the Fleet Logistics Officer, NCHQ informed of the state of tender logistics arrangements via the Annual Tier 3 compliance report.

h. **Ships in Upkeep Periods:**

(1) **Tenders.** In addition the Commander Logistics is to monitor all Upkeep and defect rectification work in logistics compartments, and advise Commanding Officers and other officers carrying out logistics duties on their materiel state. They should call upon outside authorities when this is beyond the capability of their resources. They are also to assist in the provision of messing arrangements and general accounting support when, because of the conditions of an Upkeep period, FTSP or a repair situation those cannot be provided from ships' resources.

When an Upkeep period takes place outside the Naval Base area at commercial shipyards they are to assist in the provision of such facilities and support within the capability of their resources. They may require such appropriate manpower and facilities as are available from the ship to assist them in the discharge of these responsibilities.

(2) **Establishment of Logistics Routines.** The Flotilla Commander Logistics is to carry out post-Upkeep Logistics Department checks within 5 days of Ships Staff Move Onboard (SSMOB) of all afloat units within the Flotilla.

(3) **Other Ships.** They are also to assist in the provision of messing arrangements and general accounting support when, because of the conditions of an Upkeep period, FTSP or a repair situation these cannot be provided from ships' resources. When an Upkeep takes place outside the Naval Base area at commercial shipyards, they are to assist in the provision of such facilities and support within the capability of their resources. They may require such appropriate manpower and facilities as are available from the ship to assist them in the discharge of these responsibilities.

3. **Assistance to Operational Commanders.** The Commander Logistics may be asked to provide advice and assistance to Operational Commanders in the conduct of logistics matters in ships or units under their Command.

4. Logistics Officers and officers detailed for logistics duties are responsible to their Commanding Officers for the efficient performance of their duties, and Commanding Officers are only responsible to the Flotilla/RNAS Commander Logistics for those of their accounts that are rendered through them. Nothing in this article is to be interpreted as in any way altering those responsibilities. However, Commanding Officers, Logistics Officers and officers detailed for logistics duties should consult with the Flotilla/RNAS Commander Logistics for advice and guidance when they consider it necessary.

## **1219. Naval Service Assurance and Compliance Requirements**

1. As the Defence Authority the Permanent Under Secretary of State (PUS) mandates that each Service conducts a series of internal checks and controls to manage corporate level risk and enable coherence across the defence enterprise. To meet this requirement the Naval Service<sup>3</sup> has put in place a series of mandatory internal controls which are prescribed in the Naval Service Assurance regime contained within BR 93. Accountable to the Commanding Officer, Logistics Officers are personally responsible for the implementation of the 4-tier assurance framework within their units to meet the requirements of the governing policy.

## **1220. Logistics Department Standing Orders**

1. All ships and submarines, unless otherwise directed by NCHQ, are to maintain Logistics Department Standing Orders (LDSOs). Hydrographic Survey vessels, DD/FF and above are the custodians of their own 'Cap Tally' LDSOs and are to ensure that they are updated at regular intervals to reflect latest policy changes and best practice.

<sup>3</sup> For the purposes of logistics assurance, the Naval Service covers all RN, RNR, JSU, RM, RMR and RFA units and is applicable to Service personnel, civilians and supporting contractors (as appropriate).

## **BRd 2**

CMT contains a generic contents list, which should be populated accordingly. Chapter 7 'Medical' is owned by NCHQ Medical Division and updates will be issued to units centrally. Submarine Class specific LDSOs are owned by the Deputy Commander Logistics SURFLOT/SUBFLOT and will be issued by the appropriate Waterfront Logistics Support Group.

### **1221. Managing the Delivery of Port Services through the current Port Services Contract**

1. Full details are contained in BRd2002, Annex 6E.
2. The Royal Navy has been using a contractor to provide port services since 1999. The current version of the contract is the PMLSSC and the current contractor is Multinational Logistics Services (Overseas) Ltd (MLS). The Fleet Logistics Coordinator (FLC) is the nominated Contract Manager; with day-to-day management of contractual issues managed by Deputy Fleet Logistics Coordinator-A (DFLC-A).
3. The direction on contractual and commercial propriety given to Commanding Officers in Chapter 8 is also equally applicable to Logistics Officers as well as those Officers conducting Logistics duties.
4. As a general rule the Nominated Point of Contact (NPOC) is the sole person authorised to demand services through the contract, and is to be the Logistics Officer or Officer conducting Logistics duties. The NPOC is to be mindful of the role of a Visit Liaison Officer but is to ensure that the VLO does not demand services from the contractor.
5. There are specific requirements to demonstrate value for money concerning the maintenance of financial records. Whilst the contractor is obliged to provide good value for money, it is incumbent upon NPOCs to use this contract in a judicious manner and scrutinise appropriately. All paperwork appertaining to, or directly demanding services from, the PMLSSC is auditable and should be retained.
6. The FLC's team is to be contacted if in any doubt as to the quality, cost or legitimacy of any services provided.

## CHAPTER 13

### SPARE

## CHAPTER 14

### THE OFFICER COMMANDING ROYAL MARINES

(MOD Sponsor: Fleet Commander (ACOS LLMS

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- 1402. Duties
- 1403. JPA Competencies
- 1404. Tasks and Duties of a Royal Marines Detachment
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- 1406. Military Training
- 1407. Weapons and Equipment
- 1408. Accommodation and Stowage of Weapons and Equipment

## CHAPTER 14

## THE OFFICER COMMANDING ROYAL MARINES

**1401. Responsibility**

1. Where a Royal Marines Officer has not been duly appointed the Officer Commanding Royal Marines (OCRM) is normally to be a RN officer selected and appointed by the Commanding Officer of the ship. The OCRM is to act as the RM detachment's Divisional Officer and is responsible for the employment, administration, discipline and welfare of the Royal Marines. The OCRM is responsible to the CO of the Ship for the RM detachment.

2. RM Detachments may be assigned to a ship for the purposes of force protection (Ships Force Protection Team), as a boarding team (Royal Marines Boarding Team), as a Maritime Sniper Team or as RM team task-organised for a specific task/mission. Ships retain DIRLAUTH with RM Dets' originating units throughout deployment. Command status will vary depending on the task. Originating units normally retain full-command responsibility. This is clarified in the table below:

Command State	Worldwide <sup>[1]</sup>	CJO JOA	Strat Ro-Ro/BF vessels
Full Command	CNS	CNS	CNS
OPCOM	Fleet Commander (delegated to COMOPS)	CJO	Fleet Commander (delegated to COMOPS)
OPCON	Comd 3 Comd Bde RM	UKMCC	Comd 3 Comd Bde RM
TACOM	CO of Vessel	CO of Vessel	RMPT Team Comd
UC ADMIN	Cdo Unit CO	Cdo Unit CO	Cdo Unit CO

3. In carrying out its operational role, in lieu of a Royal Marine officer, the Royal Marines Boarding Team (RMBT) SNCO is suitably qualified and experienced to command the RMBT.

**1402. Duties**

1. The duties of the OCRM are:
  - a. Ensuring that the RM detachment maintain a high standard of fitness and military training so that they are able to carry out any tasks in their primary role.
  - b. Liaising with the RM parent Unit before and during deployment.
  - c. Liaising between other heads of department to allow the Royal Marines to train as a detachment to ensure that they maintain the necessary skills to carry out their primary role and tasks.

<sup>[1]</sup> For RN and RFA vessels

- d. Delivering Royal Marines administration:
  - (1) Operationally focused continuation training and pre-command/career course preparations.
  - (2) Joint Procedures.
  - (3) Mandatory Training Tests (including MATTs 1-11).
  - (4) SJARS/Insert Slips iaw JSP 757 RM Promotions Procedures.
- e. Representing the RM ranks in disciplinary matters and in dealing with complaints and reports as detailed in BR 1992, Divisional Handbook.
- f. Ensuring that correct up to date orders for the issue and return of all RM stores exist and are adhered to. OCRM is to ensure that a daily muster of weapons and weekly check of permanent stores is carried out and recorded.
- g. Inspecting the RM detachment on a regular basis to ensure their weapons, equipment, stores and uniforms are clean and serviceable and that the correct equipment care is carried out.
- h. Assist the RM detachment in providing a weekly SITREP to the detachment's originating unit. The SITREP is to include an overview of activity, training undertaken and a record of equipment musters and defects.
- i. Ensuring that the traditions and high standards of the Royal Marines are maintained by the detachment at all times.

### **1403. JPA Competencies**

- 1. The RM detachment is to be in date for mandatory annual training tasks (MATTs 1-11) and the necessary role-specific qualifications, prior to embarkation, and these are to be recorded on JPA. OCRM is to ensure that training competencies (including MATTs) gained or renewed whilst embarked, are also recorded on JPA.

### **1404. Tasks and Duties of a Royal Marines Detachment**

- 1. The tasks and duties of a RM detachment when embarked will depend upon mission, specialisations of RM ranks, experience and embarked equipment. Typical duties include:

- a. **Primary Purpose:**
  - (1) Providing the Royal Marines element of boarding parties.
  - (2) Subject to suitably qualified personnel being included in the detachment, Operating inflatable raiding craft (IRC) — Zodiac and RIBS.

(3) Providing military knowledge, specialist skills and tactical advice for ships' landing parties for contingency operations or Short term Training Teams in support of Foreign and Defence Policy Objectives as appropriate.

(4) Providing the expertise for the use of basic manpacked communications.

(5) Providing the military specialist element in the protection of ships against terrorist infiltration and attack.

(6) Carrying out minor ceremonial duties within the limitation of the size of the detachment and uniforms carried.

b. **Secondary Purpose.** Carrying out Warfare Branch duties and ships' common tasks when not engaged in the primary task.

c. **Ship's Duties.** When not conducting Military Training detailed in Para 1406, detachments are to be employed in harbour and at sea when in cruising watches. In addition, some Marines are trained as coxswains and may carry out daily maintenance of relevant equipment such as boats, weapons and sea survival equipment.

#### **1405. Pre-embarkation and Pre-joining Training**

1. Any individual or collective training required by each ship / Unit to be carried out as pre-joining training arranged by the ship and originating Unit.

#### **1406. Military Training**

1. Every opportunity is to be taken to land detachments for military training ashore and time is to be allowed for military training on board. Note that the ship may need to facilitate this training with suitably qualified personnel. Such training should include:

a. Weapon training and task specific standard operating procedures (SOPs) to include live firing serials and check zero shoots where possible.

b. Physical fitness and endurance.

c. Fieldcraft, tactics and map reading.

d. Leadership training for non-commissioned officers and candidates for promotion.

e. RM detachments should be prepared to contribute to ship security and ship protection serials, should a dedicated Ships Force Protection Team not be available.

2. A record of military training carried out is to be maintained and a summary included in the routine SITREPs. Particular attention is to be made of individual shooting record cards.



**1407. Weapons and Equipment**

1. Detachment equipment tables will depend upon task and type of detachment. They are issued by Navy Command Headquarters or in specific operational staff work relating to the deployment. RM Detachment originating units can provide advice.

**1408. Accommodation and Stowage of Weapons and Equipment**

1. Where possible, JNCOs and Marines are to be accommodated on the same mess deck.

2. Ships' small arms stowages may need to be adjusted to allow stowage of Royal Marines weapons.

3. Ships' outfits of small arms are to be adjusted to allow stowage of Royal Marines weapons.

4. A dedicated store for all RM equipment and stores is to be provided.

## CHAPTER 15

### ROYAL NAVY MEDICAL SERVICE OFFICERS

(MOD Sponsor: ACOS MED)

This chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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## CHAPTER 15

## MEDICAL BRANCH OFFICERS

## SECTION I - MEDICAL OFFICERS

## 1501. Medical Officers

1. **Responsibility.** The Medical Officer is responsible to the Commanding Officer for the treatment of the sick or injured, the maintenance of health and the prevention of disease and for the effectiveness of the medical organisation for action.
2. **Disclosure of Information.** In rare circumstances, when an issue is or has significant potential to affect Operational Capability, information may have to be disclosed to the Commanding Officer alone, without the consent of the patient or contrary to their wishes. The patient should be informed that confidentiality will only be breached in their own interest, or for the 'public interest'. Further information can be found in BR 1991 Chapter 4<sup>1</sup> and GMC Good Medical Practice, Confidentiality: good practice in handling patient information and Ethical Guidance<sup>2</sup>.
3. **Instructions.** Detailed instructions for Medical Officers are contained in BR 1991<sup>3</sup>, *Instructions for the Royal Navy Medical Service*.

## 1502. Registration as a Medical Practitioner

1. All Medical Officers must be on the register of the General Medical Council (GMC) and retain a licence to practice, regardless of what role they are employed in. It is the responsibility of individual officers to ensure that they participate in appraisal and revalidation to retain their licence to practice. Chain of Command is to support access to courses to achieve this.
2. Omission or erasure from the register of the GMC, or withdrawal or restrictions of a licence to practice, for any reason is to be reported immediately to >NAVY MED-PERS POL MAILBOX (MULTIUSER) [NAVYMED-PERSPOLMAILBOX@mod.gov.uk](mailto:NAVYMED-PERSPOLMAILBOX@mod.gov.uk) and NAVY MED-DACOS MED PERS POL.

## 1503. Medical and Dental Documents

1. The Medical Officer (or Commanding Officer where there is no Medical Officer) is the only person authorised to be in possession of medical documents which are "Official-Sensitive Personal (Medical in Confidence)". Medical and dental staff may have access to these documents in the course of their duty within the realms of Caldicott principles.
2. Instructions for Medical Officers concerning the completion and disposal of medical documents and use of electronic medical records are contained in BR 1991, Chapter 20<sup>4</sup>. The overarching joint policy on medical records, is accessible in JSP 950 Volume 1, Lft 1-2-6<sup>5</sup>.

<sup>1</sup> BR1991 Chapter 4 [https://web.apps.royalnavy.r.mil.uk/fpgp/BRd\\_0001\\_4999/BRd\\_1991/BRd\\_1991/01\\_Homepage.html](https://web.apps.royalnavy.r.mil.uk/fpgp/BRd_0001_4999/BRd_1991/BRd_1991/01_Homepage.html) <sup>2</sup>

<https://www.gmc-uk.org/ethical-guidance/ethical-guidance-for-doctors/confidentiality>  
<sup>2</sup> <https://www.gmc-uk.org/ethical-guidance/ethical-guidance-for-doctors/confidentiality>

<sup>3</sup> BR1991 Instructions for the Royal Navy Medical Service –  
[https://web.apps.royalnavy.r.mil.uk/fpgp/BRd\\_0001\\_4999/BRd\\_1991/01\\_Homepage.html](https://web.apps.royalnavy.r.mil.uk/fpgp/BRd_0001_4999/BRd_1991/01_Homepage.html)

<sup>4</sup> BR1991 Chapter 20– [https://web.apps.royalnavy.r.mil.uk/fpgp/BRd\\_0001\\_4999/BRd\\_1991/01\\_Homepage.html](https://web.apps.royalnavy.r.mil.uk/fpgp/BRd_0001_4999/BRd_1991/01_Homepage.html)

<sup>5</sup> JSP 950 Volume 1, Leaflet 1-2-6, <https://modgovuk.sharepoint.com/sites/defnet/JFC/Pages/JSPMedicalAdministration.aspx>

## BRd 2

### 1504. Spare

### 1505. Medical Stores

1. Detailed instructions on storage, prescribing, supply, accounting and managing medical stores including the correct accounting and safe custody of controlled and accountable drugs is contained in JSP 950 Volume 9 Leaflet 9-2-1, Medicines and Medicine Material Management Management of Medicines Policy<sup>6</sup>, the Defence Logistic Framework (accessible from Defence Gateway<sup>7</sup>) and BR1991 Chapters 21, 22 and 24<sup>8</sup>.

### 1506. General Health of the Ship

1. The Medical Officer should be attentive for any circumstances likely to affect the health of the ship. If they suspect the presence of disease or indisposition in any person, the matter is to be addressed immediately. They are to report to the Commanding Officer, any factor in living or working conditions which appears likely to reduce the operational efficiency of a part or whole of the ship's company. All matters affecting the health or efficiency of numbers of personnel are to be discussed with the higher authority within their immediate line management without delay. Further details can be found in BRd 1991 Chapter 16<sup>9</sup>.

### 1507. Local Medical Services

1. The Medical Officer is to maintain contact with ship's agents, general practitioners and consultants involved in the care of naval personnel. ACOS MED is to be advised via [NAVYMED-MEDOPCAPMAILBOX@mod.gov.uk](mailto:NAVYMED-MEDOPCAPMAILBOX@mod.gov.uk) of any deficiencies in the services provided.

### 1508. Communicable and Notifiable Diseases

1. Procedures to be adopted in relation to the reporting of communicable diseases and to reporting of notifiable diseases and conditions are contained in BR 1991 Chapter 16<sup>10</sup> and JSP 950: Medical Policy Chapter 7: Public Health<sup>11</sup> respectively.

### 1509. Mental disorder

1. Medical Officers will need to identify and manage mental disorder, behavioural disturbance and deliberate self harm. BR3 Chapter 28<sup>12</sup> contains general guidance and BRd 3(1) Chapter 24 Article 2418<sup>13</sup> contains specific guidance for Medical Officers on the management of deliberate self harm. In addition, JSP 950 Chapter 7, Leaflet 2-7-2<sup>14</sup> details the provision and management of the Defence Mental Health Services.

<sup>6</sup> JSP 950 Volume 9 Leaflet 9-2-1, Management of Medicines Policy, [https://modgovuk.sharepoint.com/sites/defnet/dinsjsps/DINSJSPS/20151214.1/20151214\\_JSP%20950\\_Lft\\_9\\_2\\_1\\_Medicines\\_Management\\_V1.0.pdf](https://modgovuk.sharepoint.com/sites/defnet/dinsjsps/DINSJSPS/20151214.1/20151214_JSP%20950_Lft_9_2_1_Medicines_Management_V1.0.pdf)

<sup>7</sup> Defence Logistics Framework, [www.defencegateway.mod.uk](http://www.defencegateway.mod.uk)

<sup>8</sup> BR1991 Chapter 21-24 [https://web.apps.royalnavy.r.mil.uk/fpgo/BRd\\_0001\\_4999/BRd\\_1991/BRd\\_1991/01\\_Homepage.html](https://web.apps.royalnavy.r.mil.uk/fpgo/BRd_0001_4999/BRd_1991/BRd_1991/01_Homepage.html)

<sup>9</sup> BR1991 Chapter 16 [https://web.apps.royalnavy.r.mil.uk/fpgo/BRd\\_0001\\_4999/BRd\\_1991/BRd\\_1991/01\\_Homepage.html](https://web.apps.royalnavy.r.mil.uk/fpgo/BRd_0001_4999/BRd_1991/BRd_1991/01_Homepage.html)

<sup>10</sup> BR1991 Chapter 16 [https://web.apps.royalnavy.r.mil.uk/fpgo/BRd\\_0001\\_4999/BRd\\_1991/BRd\\_1991/01\\_Homepage.html](https://web.apps.royalnavy.r.mil.uk/fpgo/BRd_0001_4999/BRd_1991/BRd_1991/01_Homepage.html)

<sup>11</sup> JSP 950 Volume 7 Public Health, <https://modgovuk.sharepoint.com/sites/defnet/JFC/Pages/JSP950PublicHealth.aspx>

<sup>12</sup> BRd 3(1) Chapter 28, [https://web.apps.royalnavy.r.mil.uk/fpgo/BRd\\_0001-4999/BRd\\_0003/BRd\\_3\\_1/brd\\_3\\_1\\_book5.pdf](https://web.apps.royalnavy.r.mil.uk/fpgo/BRd_0001-4999/BRd_0003/BRd_3_1/brd_3_1_book5.pdf)

<sup>13</sup> BRd 3(1) Chapter 24, [https://web.apps.royalnavy.r.mil.uk/fpgo/BRd\\_0001-4999/BRd\\_0003/BRd\\_3\\_1/brd\\_3\\_1\\_book5.pdf](https://web.apps.royalnavy.r.mil.uk/fpgo/BRd_0001-4999/BRd_0003/BRd_3_1/brd_3_1_book5.pdf)

<sup>14</sup> JSP 950 Chapter 7 Leaflet 2-7-2 Provision and Management of Defence Mental Health Services, <https://modgovuk.sharepoint.com/sites/defnet/JFC/Pages/ClinicalPolicyCh1toCH12.aspx>

## 1510. Health Lectures

1. **General.** Health lectures are to be given to the entire ship's company. A record of such lectures is to be made in the First Aid Training Log (See BR 1991). The subject matter of lectures is left to the discretion of the Commanding Officer, as advised by the Medical Officer. However, the prevention of sexually transmitted diseases and how to use the Oral Tran-Mucosal Fentanyl Citrate (OTFC) single lozenge<sup>15</sup> training is to be included as routine.
2. **Special.** When it appears likely that the ship's company will be exposed to risk of malaria or any communicable disease, special lectures on the prevention of these diseases, afloat and ashore, are to be given. Health lectures must reflect current information given by Navy Command Med Op Cap.

## 1511. Supervision of Food

1. In collaboration with the Logistics Officer, checks on the wholesomeness of food supplied on board are an important part of the Medical Officer's responsibilities. Detailed procedures for food hygiene are contained within JSP 456 Volume 3<sup>16</sup>. If there is reason to suspect food poisoning they are to inform the Commanding Officer in order that an investigation may be made.
2. All cases (including suspected cases) of food poisoning are to be notified on an FMED 85 in accordance with the procedures in BR 1991 Chapter 16<sup>17</sup> and JSP 950 Leaflet 7-2-2<sup>18</sup>. Specialist Environmental Health Advice can be sought from:
  - a. [NAVYMED-FMED85MAILBOX@MOD.GOV.UK](mailto:NAVYMED-FMED85MAILBOX@MOD.GOV.UK)
  - b. SG-DMED-MED-DPHU-FMED85(MULTIUSER)@MOD.GOV.UK
  - c. Naval Base Environmental Health Personnel

Action to be taken in the event of an outbreak of food poisoning can be found in BRd 9467 Chapter 19<sup>19</sup>.

## 1512. Water Supplies

1. In collaboration with the Engineering Officer, the Medical Officer is to concern themselves with the safety of potable water on board. The Medical Officer is to be aware of the requirements for potable water management and the procedures for potable water sampling which are contained within BRd 820 – Potable Water Management<sup>20</sup>.

<sup>15</sup> RNTM 04/034/17 Introduction into Service of Oral Tran-Mucosal Fentanyl Citrate (OTFC) Single Lozenge for RM and RN/RFA Platforms. <https://modgovuk.sharepoint.com/w:/r/sites/defnet/Navylayouts/15/Doc.aspx?sourcedoc=%7B5EA80D1F-FFD4-4E66-8F9-3CEFBAB38AE0%7D&file=RNTM0403417OTFCPolicyforRNRFAPlatformsOperationalanalgesia.doc&action=default&mobileRedirect=true&DefaultItemOpen=1>

<sup>16</sup> JSP 456 Defence Catering Manual Part 2 Guidance Vol 3  
<https://modgovuk.sharepoint.com/sites/defnet/JFC/Pages/JSP256.aspx>

<sup>17</sup> BR1991 Chapter 16 [https://web.apps.royalnavy.rmil.uk/fpgo/BRd\\_0001\\_4999/BRd\\_1991/BRd\\_1991/01\\_Homepage.html](https://web.apps.royalnavy.rmil.uk/fpgo/BRd_0001_4999/BRd_1991/BRd_1991/01_Homepage.html)

<sup>18</sup> JSP 950 Vol 7 Chapter 2, Leaflet 7-2-2 Communicable Disease Control (CDC) in Armed Forces.  
<https://modgovuk.sharepoint.com/sites/defnet/JFC/Pages/JSP950PublicHealth.aspx>

<sup>19</sup> BRd 9467 Chapter 19 Medical and Dental Arrangements.  
[http://web.apps.royalnavy.rmil.uk/fpgo/BRd\\_5000\\_9999/BRd\\_9467/02\\_Contents.html](http://web.apps.royalnavy.rmil.uk/fpgo/BRd_5000_9999/BRd_9467/02_Contents.html)

<sup>20</sup> BRd 820 Potable Water Management  
[http://web.apps.royalnavy.rmil.uk/fpgo/BRd\\_0001\\_4999/BRd\\_0820\\_book/01.Homepage.html](http://web.apps.royalnavy.rmil.uk/fpgo/BRd_0001_4999/BRd_0820_book/01.Homepage.html)

### 1513. Clothing

1. Suggestions for suitable clothing to be worn in varying climates are to be made by the Medical Officer to the Commanding Officer taking heed of the advice contained in JSP 539<sup>21</sup>.

### 1514. Medical Examination of Persons Suspected of Offences under the Armed Forces Act 2006

1. Guidelines for the conduct of medical examinations and the legal requirement for consent to examination and the provision of intimate samples are detailed in BR 1991 Chapter 4<sup>22</sup>. (See also JSP 830 Manual of Service Law<sup>23</sup>, extant Defence Instructions and Notices and FLAGOs 1928 - *Medical Examination of Persons Suspected of Offences under the Armed Forces Act (Sexual Offences and Rape)*).

### 1515. Regulations on Medical Evidence at Court-Martial

1. Regulations concerning medical evidence at court-martial are contained in JSP 830, Manual of Service Law<sup>24</sup>.

### 1516. Regional Occupational Health Consultants (ROHC)

1. Occupational Health (OH) is concerned with all work-related health issues and illness. It examines the effects of work on health, but also takes account of people's illness and its effects on their work.

2. The Regional Occupational Health Consultant (ROHC) and their staff are Defence Primary Healthcare (DPHC) assets located in all base ports and air stations. Their remit is to support all personnel, ships, submarines and establishments - to assess the current standards of environmental and occupational health and hygiene, and to make recommendations for their improvement. ROHCs also support the regional medical facilities to assess medical grading of personnel prior to NSMBOS.

### 1517–1530. Unallocated

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<sup>21</sup> JSP 539. Heat Illness and Cold Injury: Prevention and Management, <https://modgovuk.sahrepaint.com/sites/defnet/JFC/Pages/JSP-539.aspx>

<sup>22</sup> BR1991 Chapter 4 [https://web.apps.royalnavy.r.mil.uk/fpgo/BRd\\_0001\\_4999/BRd\\_1991/BRd\\_1991/01\\_Homepage.html](https://web.apps.royalnavy.r.mil.uk/fpgo/BRd_0001_4999/BRd_1991/BRd_1991/01_Homepage.html)

<sup>23</sup> JSP 830 Manual of Service Law <https://modgovuk.sharepoint.com/sites/defnet/HOCS/Pages/JSP830.aspx>

<sup>24</sup> JSP 830 Manual of Service Law <https://modgovuk.sharepoint.com/sites/defnet/HOCS/Pages/JSP830.aspx>

## SECTION II - OFFICER IN MEDICAL CHARGE

### 1531. Ships with no Medical Officer

1. In ships with a Medical Branch Rating but no Medical Officer, the Commanding Officer will nominate an Officer (Executive Officer/ Logistics Officer) as Officer in Medical Charge (OiMC) who will be responsible for all non-clinical matters including the management and administration of the department, Medical Organisation for Action and Emergency and to act as the Medical Stores Officer (MSO). Responsibility for the health of the Ship's Company remains with the Commanding Officer.

2. In ships in which a Medical Officer is only borne for short periods, at the discretion of the Commanding Officer, some duties of the Officer in Medical Charge may be transferred to the Medical Officer. However, the OiMC retains responsibility for Tier 2 Healthcare Governance meetings and conducting routine Tier 2 checks, including oversight of the Compliance Assurance Management Tool (CMAAT)<sup>25</sup>.

### 1532. Spare

### 1533. Medical Stores in Ships not carrying a Medical Officer

1. **Charge of Medical Stores.** The Officer in Medical Charge is to act as the Medical Stores Officer (MSO) and is to have charge of the medicines and medical stores which will be managed in accordance with BR 1991 Chapters 21 and 22<sup>26</sup>.

2. **Replenishment of Medical Stores.** The Officer in Medical Charge is to take care to replenish the medicines and stores as necessary and to maintain and render the appropriate accounts in accordance with BR 1991 Chapters 21 and 22.

3. **Controlled and Accountable Drugs.** The following instructions are to be observed in regard to drugs, the use of which is covered by the Misuse of Drugs Regulations<sup>27</sup> and JSP 950 Vol 9 Leaflet 9-2-1 Annex B<sup>28</sup>.

a. **Security.** Syringe ampoules containing controlled and accountable drugs and all other controlled drugs which may be issued to vessels not carrying a Medical Officer are supplied as a personal charge to the Commanding Officer and are to be kept under lock and key as per BR 1991 Chapter 21 and 22<sup>29</sup>. An appropriate account is to be maintained in accordance with BR 1991 Chapter 22<sup>30</sup>. Controlled and accountable drugs are to be mustered periodically as detailed in BR 1991.

<sup>25</sup> Compliance Assurance Management Tool RNTM 03-001/19

<sup>26</sup> BR1991 Chapter 21-22 [https://web.apps.royalnavy.r.mil.uk/fpgo/BRd\\_0001\\_4999/BRd\\_1991/BRd\\_1991/01\\_Homepage.html](https://web.apps.royalnavy.r.mil.uk/fpgo/BRd_0001_4999/BRd_1991/BRd_1991/01_Homepage.html)

<sup>27</sup> JSP 950 Volume 9 Leaflet 9-2-1, Management of Medicines Policy, [https://modgovuk.sharepoint.com/sites/defnet/dinsisps/DINSJSPS/20151214.1/20151214\\_JSP%20950\\_Lft\\_9\\_2\\_1\\_Medicines\\_Management\\_V1.0.pdf](https://modgovuk.sharepoint.com/sites/defnet/dinsisps/DINSJSPS/20151214.1/20151214_JSP%20950_Lft_9_2_1_Medicines_Management_V1.0.pdf)

<sup>28</sup> BR1991 Chapter 21-22 [https://web.apps.royalnavy.r.mil.uk/fpgo/BRd\\_0001\\_4999/BRd\\_1991/BRd\\_1991/01\\_Homepage.html](https://web.apps.royalnavy.r.mil.uk/fpgo/BRd_0001_4999/BRd_1991/BRd_1991/01_Homepage.html)

<sup>29</sup> BR1991 Chapter 22 Annex M [https://web.apps.royalnavy.r.mil.uk/fpgo/BRd\\_0001\\_4999/BRd\\_1991/BRd\\_1991/01\\_Homepage.html](https://web.apps.royalnavy.r.mil.uk/fpgo/BRd_0001_4999/BRd_1991/BRd_1991/01_Homepage.html)

<sup>30</sup>



b. **Stock Control.** When controlled and accountable drugs are demanded, the demand is to be approved by and signed by the Commanding Officer. The stock held on board is not normally to exceed the authorised R1 METSA module scale and the CO is to ensure that an adequate reason is given on the demand to justify total holdings in excess of the scale.

c. **Return of Controlled and Accountable Drugs.** When undergoing refit or transferring to the reserve, ships are to destroy all controlled and accountable drugs in accordance with BR 1991 Chapter 22<sup>31</sup>.

d. **Royal Fleet Auxiliaries and Merchant Ships.** In Royal Fleet Auxiliaries and merchant ships attached temporarily to the Royal Navy and not carrying a Medical Officer, the Master of the Ship shall be deemed to be a person authorised to be in possession of controlled and accountable drugs, so far as is necessary to comply with the requirements of the Naval Service or with the Merchant Shipping Acts. It shall be lawful for them or for any officer appointed by them as Officer with Medical responsibility, subject to any condition prescribed by the Secretary of State, to administer and supply these drugs to any member of the crew, in accordance with instructions prepared and approved by the Admiralty Board of the Defence Council or in the Merchant Service, by the Department of Trade and Industry. The keeping of a record of these drugs in the Ship's Log shall be deemed to be in compliance with the requirements of these regulations for the keeping of records. More details can be found in BRd 875<sup>32</sup>.

#### 1534. Ships with no Medical Branch Rating

1. **Medical Stores Account.** Accountable medical items are to be placed on the appropriate AinU and for Controlled and Accountable drugs a BMED 13 register. These are to be managed in accordance with the Defence Logistic Framework<sup>33</sup>, JSP 950 Vol 9 Leaflet 9-2-1<sup>34</sup> and BRd 1991 Chapters 21 and 22<sup>35</sup>. current storekeeping regulations.

#### 1535. When no Dental Officer is Borne

1. **Periodic Dental Examination.** In ships and establishments in which no Dental Officer is borne the Medical Officer or Officer in Medical Charge is to ensure that periodic dental examination of all service personnel under their medical charge is carried out and recorded. The Regional Principal Dental Officer should be consulted as necessary.

2. **Dental Treatment.** Known requirements for dental treatment of ship-borne personnel should be reported in advance to the next port of call which has dental facilities, giving the probable period during which the patients will be available.

#### 1536–1550. Unallocated

<sup>31</sup> BR1991 Chapter 22 Annex P

[https://web.apps.royalnavy.rmil.uk/fpgo/BRd\\_0001\\_4999/BRd\\_1991/BRd\\_1991/01\\_Homepage.html](https://web.apps.royalnavy.rmil.uk/fpgo/BRd_0001_4999/BRd_1991/BRd_1991/01_Homepage.html)

<sup>32</sup> BRd875 Regulations for Royal Fleet Auxiliaries

[https://web.apps.royalnavy.rmil.uk/fpgo/BRd\\_0001\\_4999/BRd\\_0875/01\\_Homepage.html](https://web.apps.royalnavy.rmil.uk/fpgo/BRd_0001_4999/BRd_0875/01_Homepage.html)

<sup>33</sup> Defence Logistics Framework, [www.defencegateway.mod.uk](http://www.defencegateway.mod.uk)

<sup>34</sup> JSP 950 Volume 9 Leaflet 9-2-1, Management of Medicines Policy,

[https://modgovuk.sharepoint.com/sites/defnet/dinsjsps/DINSJSPS/20151214.1/20151214\\_JSP%20950\\_Lft\\_9\\_2\\_1\\_Medicines\\_Management\\_V1.0.pdf](https://modgovuk.sharepoint.com/sites/defnet/dinsjsps/DINSJSPS/20151214.1/20151214_JSP%20950_Lft_9_2_1_Medicines_Management_V1.0.pdf)

<sup>35</sup> BR1991 Chapter 21-22 [https://web.apps.royalnavy.rmil.uk/fpgo/BRd\\_0001\\_4999/BRd\\_1991/BRd\\_1991/01\\_Homepage.html](https://web.apps.royalnavy.rmil.uk/fpgo/BRd_0001_4999/BRd_1991/BRd_1991/01_Homepage.html)

### SECTION III - DENTAL OFFICERS

#### 1551. Dental Officers

1. The Dental Officer is responsible to Director Naval Dental Services, through the Principle Dental Officer, for the treatment of dental disease or injury, the maintenance of dental health and the prevention of disease.
2. Detailed instructions for Dental Officers are contained in BR 1991 Chapter 15<sup>36</sup>.

#### 1552. Registration as a Dental Practitioner

1. All Dental Officers must be on the register of the General Dental Council<sup>37</sup>. It is the responsibility of individual officers to ensure that they are re-registered annually.
2. Omission or erasure from the register for any reason is to be reported to HQ Defence Dental Services immediately.

#### 1553. In Action

1. In action and other emergency situations as required by the Commanding Officer, the Dental Officer is to place themselves under the direction of the Medical Officer and carry out such duties as may be assigned to them.

#### 1554–1570. Unallocated

<sup>36</sup> BR1991 Chapter 15 [https://web.apps.royalnavy.r.mil.uk/fpgo/BRd\\_0001\\_4999/BRd\\_1991/BRd\\_1991/01\\_Homepage.html](https://web.apps.royalnavy.r.mil.uk/fpgo/BRd_0001_4999/BRd_1991/BRd_1991/01_Homepage.html)

<sup>37</sup> General Dental Council – <https://www.gdc-uk.org>

## SECTION IV – QUEEN ALEXANDRA’S ROYAL NAVAL NURSING SERVICE

### 1571. Status

1. Queen Alexandra’s Royal Naval Nursing Service (QARNNS) is a discrete and integral part of Her Majesty’s Naval Forces and its members are subject to the Armed Forces Act 2006<sup>38</sup> and to regulations and instructions laid down for naval personnel. (See **0102** and **0121**).
2. Professional accountability for members of QARNNS is through their regulatory body, the Nursing and Midwifery Council<sup>39</sup> (NMC).

### 1572. QARNNS Nursing Officers and Ratings

1. **Registration as a Nurse.** All Nursing Officers and Nurse Ratings must be on the appropriate part of the Nursing and Midwifery Council (NMC) register. It is the responsibility of the individual officer and rating to ensure they are registered and revalidated in accordance with NMC policy. Omission or erasure from the NMC register for any reason or any concern regarding fitness to practice is to be reported to NAVY MED-PERS POL MAILBOX (MULTIUSER). [NAVYMED-PERSPOLMAILBOX@mod.gov.uk](mailto:NAVYMED-PERSPOLMAILBOX@mod.gov.uk) and NAVY MED-DACOS HEALTH HNNS without delay.
2. Nursing Officers and Ratings are directly responsible to the Commanding Officer or equivalent within their unit, and professionally accountable through the NMC. The unit Command is responsible for monitoring individual’s professional registration and revalidation.

### 1573-1579. Unallocated

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<sup>38</sup> Armed Forces Act (2006) [www.legislation.gov.uk/ukpga/2006/52/contents](http://www.legislation.gov.uk/ukpga/2006/52/contents)

<sup>39</sup> Nurse and Midwifery Council – <https://www.nmc.org.uk>

## SECTION V – MEDICAL SERVICES OFFICERS

### 1580. Medical Services Officers

1. Medical Services (MS) Officers are an integral element of the Royal Navy Medical Service. Their role is to facilitate the delivery of naval healthcare on operations and in the firm base by providing specialist knowledge in: medical operational planning, personnel & medical administration, medical logistics and medical training. Specialist MS Officers also provide environmental health (EH) and radiological protection in submarines (SM) expertise.

2. Unlike other Medical Branch Officers, MS Officers have no specific requirement to belong to a governing body. However, MS (EH) Officers must hold either BSc or MSc in Environmental Health and be registered with the Environmental Health Registration Board or equivalent. MS (SM) Officers must have successfully completed the Nuclear Radiological Protection Course and hold either a Post Graduate Diploma or an MSc in Radiological Protection. They must also belong to the Society of Radiological Protection and satisfy their requirements to be considered a professional health physicist.

### 1581. Environmental Health Practitioners (EHPs)

1. EHPs are an essential element of Medical Force Protection for operations, exercises and in the firm base. EHPs are formed into Area Environmental Health Teams which are located strategically within NCHQ and at each HMNB to provide support to personnel, ships, submarines and establishments in accordance with key outputs stipulated by the Head of the Royal Navy Medical Service.

## SECTION VI – GENERIC

### 1582. Off-Duty Secondary Employment

1. Any member of the RNMS who wishes to undertake paid or voluntary employment outside of the Royal Navy as their primary employment are to seek explicit permission from their individual Commanding Officers. JSP 950, Vol 10 Chapter 1 Leaflet\_10-1-2<sup>40</sup> details the process to be followed without any exceptions.

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<sup>40</sup> JSP 950 Vol 10 Chapter 1, Leaflet 10-1-2. Employment Outside of Official Duties for Healthcare Staff, [https://modgovuk.sharepoint.com/sites/defnet/JFC/Pages/JSP\\_950Personnel.aspx](https://modgovuk.sharepoint.com/sites/defnet/JFC/Pages/JSP_950Personnel.aspx)

**CHAPTER 16****THE CHAPLAIN**

*(MOD Sponsor: Chaplain of the Fleet)*

This chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

**CONTENTS****Para**

- 1601. General
- 1602. Appointment and Status
- 1603. Duties of Chaplains
- 1604. Pastoral Workers
- 1605. Protection of Chaplains in War

## **CHAPTER 16**

### **THE CHAPLAIN**

#### **J.1601. General**

1. As Ministers and Priests of the Christian Church and commissioned by Her Majesty the Queen, chaplains provide spiritual and pastoral well-being for all Service personnel and their dependants. They are to be given every assistance to fulfil their ministry. They are not to perform executive or operational duties save those proper to their profession. When a commissioned chaplain cannot be made available, civilian clergy of the appropriate denomination may be appointed as Officiating Chaplains to the Military (OCMs). The MOD employs Chaplains of the World Faiths to meet the spiritual needs of all World Faith personnel.

2. The Chaplain of the Fleet's (COTF) Office manages all matters relating to chaplains and their duties. The Deputy Chaplain of the Fleet (DCOTF) is responsible to COTF for the operational delivery of chaplaincy and all aspects of capability including recruitment and training. Further details concerning the structure, roles, and responsibilities of the Naval Chaplaincy Service's (NCS) decision making process can be found in QRRN 7502.7 and BR 439. All enquiries should be addressed to:

NCS COORD  
Naval Chaplaincy Headquarters  
Tanner Building  
HMS EXCELLENT  
Whale Island  
Portsmouth PO2 8ER  
Tel: 0300 1569176

#### **J.1602. Appointment and Status**

1. Regulations concerning Chaplains are contained in BR 439 and BR3.
2. Chaplains hold the Sovereign's Commission, but no Naval rank other than that of Chaplain Royal Navy. The status of chaplains for purposes of pay and allowances is given in JSP 754, Tri-Service Regulations for Pay and Charges.
3. The COTF is the senior Naval Chaplain and is accorded 2\* status.
4. Principal Denominational Chaplains (PDC) are appointed by Sending Churches to act as a denominational focus for that particular denomination in the Naval Service. They have no executive authority over members of the Branch. They act as the ecclesiastical lead but may also be serving in a Regular unit contemporaneously.
  - a. The PDC (Anglican) is granted the ecclesiastical dignity of Archdeacon, under the Archbishop of Canterbury, while holding the office.
  - b. The PDC (Roman Catholic) is usually appointed Vicar Episcopal to the Roman Catholic Bishop of the Forces, while holding the office.
  - c. The PDC ( Church of Scotland & Free Churches) carries no other title.

5. Commissioned chaplains are appointed to HM ships and establishments and to RM Units by DCOTF. Chaplains are under the functional authority of COTF for their professional duties and their PDC for ecclesiastical matters.
6. All chaplains have the right of direct access to their Commanding Officer.
7. Chaplains have the status of Head of Department in their ship or establishment so that at all times they may be informed of its administration and the needs of its personnel.
8. In spiritual and ecclesiastical matters chaplains are under the normal discipline of their appropriate Church authorities.
9. Commissioned chaplains are subject to the normal discipline of the Service.
10. Commanding Officers are to ensure that chaplains and Officiating Chaplains are, at all times, treated with the respect due to their sacred office and that nothing shall interfere with their being regarded as the 'friend and adviser to all on board'.
11. When chaplains serve in the same ship, unit or establishment they are to form an integrated and co-ordinated team to ensure the effective use of personnel and resources. A Chaplaincy Team Leader (CTL) will be appointed by the DCOTF to facilitate and co-ordinate the work of the Chaplaincy (BR 439).

### **1603. Duties of Chaplains**

1. Detailed instructions to chaplains for the performance of their duties are contained in BR 439. Their duties are:
  - a. To conduct worship and promote the spiritual growth of all Naval Service personnel.
  - b. To administer the sacraments.
  - c. To preach and instruct in the faith.
  - d. To visit the sick and all in their care.
  - e. To further the life of the Christian Church or their Faith Group.
  - f. To work together ecumenically, whilst retaining denominational integrity.
  - g. To support the Divisional system and work with others in the caring professions and agencies.
  - h. To facilitate the religious and spiritual needs of all regardless of their faith group.
  - i. To be the friend and adviser to all.
2. Chaplains are to ensure that their conduct and way of life reflects their sacred calling. They should at all times maintain the highest standard of professionalism, leadership and personal example.



## **BRd 2**

### **1604. Pastoral Workers**

1. Civilian Pastoral Workers (PWs) are employed by Aggie Westons and Methodist Church Forces' Board (MCFB) respectively to assist Commissioned Chaplains in their duties.
2. PWs are line-managed by the CTL for their duties, to the Commanding Officer for matters of discipline and to their employer for terms of their employment.

### **1605. Protection of Chaplains in War**

1. Chaplains are entitled to protection in war under the terms of the Geneva Convention 1949. Instructions concerning the issue of Red Cross armlets and identity certificates to Chaplains are contained in para 4751.

**CHAPTER 17****THE BASE WARRANT OFFICER (BWO)**

(MOD Sponsor: Second Sea Lord's Warrant Officer)

This chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

**CONTENTS****Para**

- 1701. Role of the Base Warrant Officer
- 1702. Primary Duties
- 1703. Reporting Chain
- 1704. Secondary Duties
- 1705. Uniform
- 1706. Reporting Chain
- 1707. Superiors
- 1708. Requirements
- 1709. Notes

## CHAPTER 17

## THE BASE WARRANT OFFICER (BWO)

**1701. Role of the Base Warrant Officer**

1. The BWO is the key adviser to the Command on welfare, morale, personnel development and people issues, and is instrumental in supporting the Moral Component of Operational Capability across the establishment and all lodger units.

**1702. Primary Duties**

1. The BWO is by appointment the most senior Non-Commissioned Officer at the establishment and is therefore entitled to exercise special command over all other Warrant Officers & Senior Rates, Senior Non-Commissioned Officers and Junior Rates/Ranks onboard regardless of where their line management lies<sup>1</sup>.

2. The BWO is instrumental in supporting the Moral Component of Operational Capability and a key adviser to the Command on morale, welfare and other personnel issues.

3. As the principal non-commissioned advisor to the CO and XO, the BWO is to exercise leadership of the highest order in ensuring that appropriate values and standards are set and maintained and is promoted throughout the establishment. In particular, the requirement to 'walk the patch' and visit sections/departments that form part of their establishment, including satellite organisations.

4. To be the President of the Warrant Officer and Senior Ratings' Senior Non-Commission Mess.

5. As a key member of the establishments command team, the BWO is to have the appropriate level of engagement with the establishment's Heads of Department and lodger units IOCs.

6. The BWO is to chair routine Departmental Coordinator Meetings and act as the Internal establishment communications director, ensuring that Royal Navy and establishment policies are being communicated effectively and coherently to all personnel.

**1703. Secondary Duties**

1. To accompany Command at functions, events and during visits in the capacity of the establishment's Senior Non-Commissioned Officer.

2. To assist the XO, in conjunction with the 1st Lt, in support of the Divisional system, providing N1 advice on personnel issues, attending Carer's Forums and Case Conferences as required. To support and advise Divisional Officers regarding routine Divisional Meetings, ensuring feedback from matters arising is communicated to the originator and where necessary, issues are fed to the appropriate level, (local Command, NCHQ etc), in a timely manner.

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<sup>1</sup> With the exception of the Senior Command Warrant Officers.

3. To assist the Establishment Equality, Diversity and Inclusion (EDI) Lead Advisor in ensuring that EDI policy, directives and training are applied. This includes providing the necessary advice and guidance on the handling of complaint procedures.
4. To maintain regular communication with 2SLWO and act as focal point for the Senior Command Warrant Officers' visits to the establishment.
5. To accompany the CO or XO on their respective formal rounds.
6. To be the establishment Trauma Risk Management Team Manager.
7. Advise on and monitor Minor Administrative Action across the establishment to ensure the standard is applied.
8. To act as the Unit Liaison Officer when Compulsory Drug Testing is required.
9. If so directed, to undertake the role of Families Estate Warrant Officer (FEstWO). Acting as a Service Liaison between DIO and their representatives, e.g. Amey, and the Royal Navy. Providing advice and guidance on the procedures and processes of living in SFA. This role may be split between BWO and 1LT.



**Note.** Should a Service Person (SP) from another establishment be housed on another BWO's Estate, responsibility will always stay with the SP's appropriate chain of command.

#### 1704. Uniform

1. The BWO is authorised to carry a black ebonised cane, with a 'Fouled Anchor', crest as a symbol of their authority at their establishment, including satellite units. If they wish to carry their cane in representing their base at an external venue, e.g. Remembrance Parade, they are to contact 2SLWO for permission first.
2. All cane drill and uniform requirements are to be iaw BRd1834.
3. Due to ceremonial requirements, BWOs will be entitled to draw a second No1 uniform with sword slash.

#### 1705. Reporting Chain

1. The Reporting Chain for the BWO is to comprise of the Executive Officer as the 1RO and the Commanding Officer (Captain of the Base for HMNB), as 2RO.

#### 1706. Superiors

1. The BWO is under the line authority of the CO and XO and is under the functional authority of the Second Sea Lord's Warrant Officer (2SLWO).

### 1707. Authority

1. The BWO is by appointment the most senior Non-Commissioned Officer at the establishment and is therefore entitled to exercise special command over all other Warrant Officers & Senior Rates, Senior Non-Commissioned Officers and Junior Rates/Ranks onboard regardless of where their line management lies<sup>2</sup>.
2. The BWO has authority over all Warrant Officer and Senior Rates/ SNCOs in their capacity as President of the Warrant Officers and Senior Rates/ Ranks Mess.

### 1708. Requirements

1. The BWO is to hold the following competencies:
  - a. **Rank:** Warrant Officer First Class
  - b. **Branch:** Exec/ CAPPs
  - c. **Duration:** 2/3 year appointment
  - e. **Essential Qualifications:** OSC, DDI(A), TRiM, DO Course
  - f. **Desirable:** ICSC(M)

### 1709.



#### **Notes:**

1. *The BWO is not to be part of any Duty Roster.*
2. *The BWO should not be Divisional Officer to a Division of a size likely to impair their primary purpose.*
3. *A minimum period of one week should be allocated to the handover period between successive BWOs.*
4. *Any proposed changes to these ToRs are to be authorised by 2SL via 2SLWO.*

<sup>2</sup> With the exception of the Senior Command Warrant Officers when visiting

**CHAPTER 18****DIVISIONAL OFFICERS, COMPANY AND SQUADRON COMMANDERS**

(MOD Sponsor: NAVY PEOPLE-TRG-HQ N9 EXEC FXO)

This chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

**CONTENTS****Para**

- 1801. The Divisional and Regimental System
- 1802. Divisional Officer's Responsibilities
- 1803. Divisional Senior Rate's Responsibilities
- 1804. Divisional Leading Hands and Corporals

## CHAPTER 18

### DIVISIONAL OFFICERS, COMPANY AND SQUADRON COMMANDERS

#### 1801. The Divisional and Regimental System

1. Any reference to Divisional Officer should be taken to include and be applicable to a Squadron Commander, Company or Troop Commander within the Royal Marines.
2. The Divisional and Regimental System is the RN's overarching pastoral care system and the most potent mechanism for delivering leadership, sound management and ultimately, operational capability. It is also a vital line of communication between officers and ratings/other ranks for the dissemination of information and the collection of feed back. All of the tenets of RN Ethos and the Core Values of the Service, as well as the subordinate Ethos and Commando Spirit for the Royal Marines, Fleet Air Arm and Submarine Service are encapsulated within the Divisional System. It encompasses a myriad of leadership techniques including coaching and mentoring.
3. Commanding Officers are responsible for organizing their ships, submarines, establishments, units, or squadrons within a Divisional and Regimental System structure. The Commanding Officer bears responsibility for providing divisional support to officers.
4. The Executive Officer has responsibility for the delivery of the divisional system in a unit. He/she is to supervise the organization and administration of the Ship, Submarine, Establishment, or Squadron's Divisional System and is to act as the focal point for dissemination of policy matters. The Executive Officer is to be assisted by Heads of Departments.
5. The Divisional and Regimental System is articulated in detail within BRd3(1) Manual of Naval Personnel, Chapter 21. Every Divisional Officer should have immediate access to BRd3(1) which further articulates their duties and responsibilities. It must also be readily accessible to all Divisional Senior Rates, NCOs, Corporals and Leading Hands. All personnel involved with the management and functioning of the Divisional and Regimental System should have a thorough working knowledge of this reference.

#### 1802. Divisional Officer's Responsibilities

1. Divisional Officers must know their ratings. This is a fundamental requirement and the clarity of this aim is unequivocal. Ratings cannot be expected to follow unless they know their leaders. This is the basis of trust. "Walking the patch" is therefore an essential part of every DO's daily duty.
2. The primary duties of a Divisional Officer are to know, command, lead and manage their division. Within these are specific responsibilities, amongst others, for pastoral care, motivation, morale, teamwork, personal development and recreation. Notwithstanding the procedural and administrative aspects of their work, Divisional Officers will be judged principally by their effectiveness in leading their people.

3. A sound divisional structure has the Divisional Officer supported by a number of Divisional Senior Rates and Leading Hands. In order to achieve strength in depth, they are to be given the fullest responsibility within the Divisional System commensurate with the permitted limits of delegation and their own level of experience. Providing a good example, coaching and insistence on high professional and personal standards are important factors in developing the necessary effect, particularly in relation to the need for unswerving fairness in all dealings with subordinates. In addition, Divisional Officers are to ensure that their subordinates in positions of authority are fully aware of the universal duty to preserve good order and discipline at all times and of the need to keep themselves informed of any cause of complaint or dissatisfaction on the lower deck.

4. **Written Reports.** Members of divisions receive reports through JPA appraisal reporting on professional performance and potential for further promotion from Divisional Senior Rates or Divisional Officers according to their rate. In the former case, Divisional Officers must coach their Divisional Senior Rates and Leading Hands in the mechanics of induction, performance management and reporting. Divisional Officers also assist second reporting officers (at CO/HOD level) with their comments on potential for all divisional members. Divisional Officers must exercise the highest standard of moral courage to ensure that reports are fair and honest in order to deliver the highest quality of individual to the Service through promotion boards. Additionally, honest reporting serves to harness talent and manage the expectations of individuals. Reports must reflect on the leadership capabilities of individuals as much as their branch or trade expertise.

5. Societal changes, the establishment of the EWO and equivalent positions, ease of access to the medical profession and Padres, as well as the increased role of Departmental Co-ordinators in managing careers in conjunction with Career Management Centres all have their place in the way Service personnel are managed. However, none of these factors should be allowed to undermine the involvement of, or the value provided by the Divisional Officer, nor should the role of the Divisional Officer be under-estimated. The foremost duty of any Divisional Officer, Company or Squadron Commander is to the professional and personal well-being and effectiveness of the people in their charge.

### **1803. Divisional Senior Rate's Responsibilities**

1. Reference to the Divisional Senior Rate should be taken to include and be applicable to a Squadron or Company NCO within the Royal Marines.

2. The Divisional Senior Rate is pivotal to the successful management of the Divisional System. All Senior Rates and NCOs not employed as Divisional Officers in their own right are to be incorporated into the Divisional and Regimental Structure. Divisional Senior Rates are to be fully appraised of the personal and professional circumstances of every member of their respective Division, Squadron or Company so as to provide meaningful advice and support to both the individual and to the Divisional Officer. The Divisional Senior Rate is to act as a filter for the Divisional Officer and is to be entrusted and empowered to resolve smaller scale issues which individuals may experience.

3. Heads of Departments and Divisional Officers are to ensure that Divisional Senior Rates are suitably trained, coached and supported in the performance of their duties and that they are subsequently fully empowered.



**1804. Divisional Leading Hands and Corporals**

1. Full use shall be made of Leading Hands and Corporals within the Divisional and Regimental System. Such ranks, by their nature, have a much closer and instinctive understanding of the concerns and circumstances of sailors and marines and are often better placed to circumvent issues before they arise, or represent them to the Divisional Senior Rate in time for appropriate action to be taken. Leading Hands and Corporals should be nurtured and coached in Divisional techniques and administration in preparation for becoming Divisional Senior Rates or Company and Squadron NCOs in their own right in due course.

## CHAPTER 19

### WARFARE (X) OFFICERS

MOD Sponsor: (Sections I and V NAVY SHIPS-T45 SO1)  
 (Section II NAVY SSM-UW SM SO1)  
 (Section III NAVY SSM-AW NAVSEA SO1)  
 (Section IV NAVY SSM-UW MW SO1)  
 (Section VI NAVY SHIPS-HM SO1)

This chapter has been equality and diversity impact assessed by the Sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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## CHAPTER 19

## WARFARE (X) OFFICERS

## SECTION I - PRINCIPAL WARFARE OFFICERS (SURFACE SHIP)

**1901. Responsibility**

1. Ships of destroyer/frigate size and above will be complemented with suitably qualified and experienced officers as watchkeeping Principal Warfare Officers.
2. The Principal Warfare Officer (PWO) derives his/her authority from delegation of the Commanding Officer's personal responsibility for the operational conduct of his/her ship and units under his/her command. The limits of his/her authority are to be qualified within the Commanding Officer's delegation of authority matrix.
3. Within the limits in Clause 2, the PWO is responsible to the Commanding Officer for the correct reaction to the operational situation by own and subordinate units.
4. The PWO is responsible for:
  - a. The safety of aircraft assigned to own ship for any form of control and their safe deconfliction from other airspace users. (See **2602.3a** and **2603**.) In ships with Air Warfare Officers (AWO), responsibility for the safety of all fixed wing aircraft and rotary wing AEW aircraft under his/her direction should be passed to the AWO when closed up. Safety of rotary wing ASW ASuW and utility helicopters under own Ship's control remains with the PWO.
  - b. The overall supervision of the Ship's and or subordinate unit's Emission Control and Operational Security Policy.
  - c. The overall control of ship's SHIPHAZ when in Ops Control.
5. The PWO is to supervise the Ship's SHIPHAZ emission safety policy during all organic and non organic flying operations (See **2602.3e**).

**1902. Duties**

1. The PWO is to perform the duties of the Officer in Charge (OiC) of the Operations Room (See **0808**).
2. The PWO is the Commanding Officer's watchkeeping adviser on: tactics, the general operational situation. and on airspace co-ordination unless relieved of this function by an AWO. (See **1901.4a**).
3. The PWO is to **advise** the Commanding Officer on the correct employment of personnel, weapons, sensors and communications to meet any future and or current operational requirements for own or subordinant units and to comply with the orders given by a Superior Commander and or Commanding Officer.

## BRd 2

4. The PWO is to conduct appropriate **planning** to ensure that personnel, weapons sensors, communications and CBRNDC measures are at the level of readiness to meet any future and or current operational requirements for own or subordinate units and to comply with orders given by a Superior Command and/or Commanding Officer.
5. The PWO is to **direct** the correct employment of personnel, sensors, weapons and communications resources to meet future and/or current operational/tactical requirements for own and subordinate units and to comply with the orders given by a Superior Commander and/or Commanding Officer.
6. The PWO is to ensure that any failure of or defect in equipment that may impair the efficient operational conduct of the Ship is reported without delay to any Superior Commander, the Commanding Officer, the Officer of the Watch (OOW) and the specialist officers concerned.
7. The PWO is to ensure that the accuracy, currency and provenance of all information, including reference information, presented within the Action Information Organisation, is fully understood and used appropriately within any decision making or estimate process.
8. The PWO is to provide advice to the Command on Joint Operational Information Management policy and processes.
9. The PWO, in the absence of specialist personnel, is to provide the Command with advice on those areas of warfare that may not fall within the individual's skill sets. This may include:
  - a. LLM OC
  - b. Operations Other Than War
  - c. Maritime Security operations
  - d. MCM OC
  - e. Intelligence and ISR
  - f. Geospatial Intelligence and Information OC
  - g. CBRN
  - h. ROE and legal aspects of maritime operations
  - i. Joint Information Warfare
  - j. Cyber Warfare

### 1903. Special Duties with Regard to Ship Safety

1. The OiC of the Operations Room is to ensure that the OOW is provided with any available information, advice or intentions which may assist in avoiding collision, grounding or other hazard (See **0808**).
2. Whenever operational circumstances permit, the provision of information, advice or intentions in the interests of ship safety is to take precedence over other considerations. (See *also* **1901.4**).

3. The availability of navigation information on command systems, command support systems and other decision aids gives the OiC of the Operations Room an increased ability to appreciate the navigational situation. These systems, however, are not intended for navigational use and information contained within them may be less accurate or up-to-date than that in accredited navigation systems. The OiC of the Operations Room shall, therefore, take particular care not to make assumptions about the navigational situation based on his/her own appreciation without consulting the OOW and/or Navigating Officer.

4. The relationship to be observed between the OiC of the Operations Room and the OOW is set out in 3003.11 and 12.

#### **1904. Operations, Administration and Training**

1. Where practicable, it is to be the normal practice that a PWO remains responsible for advising, planning and directing training in one sphere of warfare throughout their appointment. A Commanding Officer should, however, provide the PWO with a opportunity to plan and conduct of practices in other warfare disciplines on an opportunity basis to avoid single point of failures and provide broadening opportunities to the individual.

#### **1905–1909. Unallocated**

## SECTION II – PRINCIPAL WARFARE OFFICERS (SUBMARINE)

### 1910. Responsibility

1. Submarines will be complemented with suitably qualified and experienced officers as watchkeeping Principal Warfare Officers (PWO). All references to the 'OOW' within this section will be assumed to refer to the PWO. The PWO is the Commanding Officer's representative in the Control Room, in which capacity, their purpose and accountability is in accordance with **3001.1** and 2. In a dived submarine, the senior officer on watch having all qualifications required by the Fleet Commander (BRd 9468 *FLAGOs (Submarines)*), and authority delegated to them by their Commanding Officer, is designated the Officer of the Watch. Additionally the Fleet Commander is to lay down the minimum qualification and specific tasks for OOD, Ship Control OOW and Watch Navigator (2nd OOW) in BRd 9468.
2. The PWO derives his/her authority from delegation of the Captain's personal responsibility for the operational conduct of his/her submarine. The limits of his/her authority are to be qualified or modified as the Captain thinks fit.
3. Within the limits in Clause 2, he/she is responsible to the Captain for the correct reaction to the operational situation in his/her own submarine.
4. The PWO is accountable to the Commanding Officer for the safety and readiness of the submarine as follows:
  - a. The safety of the submarine and her company in all aspects, except when relieved of that responsibility (see 0803.1).
  - b. The safe, efficient and effective control of the submarine.
  - c. The direction of all sensors and their operators to optimise search, detection, classification and tracking.
  - d. The direction of the command system to ensure the accurate, comprehensive and timely processing, evaluation and display of target data.

### 1911. Duties

1. The Principal Warfare Officer is to perform the duties of the Officer in Charge of the Control Room.
2. The PWO is also the Captain's watchkeeping adviser on tactics and the general operational situation through the Executive Officer. They are to be aware of the capabilities of their equipment and that of a potential enemy. For this purpose they are to keep themselves informed of the current tactics in naval warfare.
3. The PWO is to ensure that personnel, Weapon Readiness State (WRS) and Damage Control (DC) state are at the level of readiness appropriate to the operational situation and in accordance with the Captain's instructions.
4. The PWO is to ensure the correct employment of sensors, weapons and communications resources and the implementation of emission control plans.

5. The PWO is to ensure that any failure of or defect in equipment which may impair the efficient operational conduct of the ship or its weapons is reported without delay to the Captain and the specialist officers concerned.

6. The PWO is to ensure that the accuracy, currency and provenance of all information, including reference information, presented within Action Information Organisation, is fully understood and utilized appropriately in making decisions.

## **1912. Responsibility to the Weapon Engineer Officer**

1. The on watch PWO is responsible to the Weapon Engineer Officer (WEO) for:
  - a. Ensuring that routine performance check tests and such other tests that are required to be undertaken by operators are carried out as necessary, in order to establish and maintain an efficient material state.
  - b. Bringing any equipment defects to the WEO's notice.
  - c. Monitoring material performance standards and requesting maintenance support if there is reason to believe material performance standards are not met.
  - d. Ensuring that operating and training programmes are co-ordinated with the requirements for routine maintenance and repair.

## **1913. Supervision of Subordinates**

1. When an unqualified officer or rating is carrying out any of the duties listed in this section the OOW is personally accountable for the detailed execution of the task. When a qualified officer or rating is closed up the OOW remains accountable for the overall execution of the task and so should exercise a degree of supervision commensurate with the experience of the subordinate. The OOW should draw attention to potentially dangerous situations early and should be stationed where their experience and expertise are most required.

2. **Ship Control.** The Ship Control OOW derive their authority from the OOW and is subordinate to the OOW. They must hold all qualifications required by the Fleet Commander (BRd 9468). They are accountable to the OOW for:

- a. Control of routine 'ship control' functions such as maintaining the submarine's trim.
- b. Running the ship's routine.
- c. Initiating the emergency action required to counter any ship control incident or damage which may hazard the safety of the submarine.

3. **Tactical Picture Supervisor (TPS).** The TPS is to be closed up to assist the OOW; they derive their authority from the OOW and are subordinate to the OOW. They must hold all qualifications required by the Fleet Commander (BRd 9468). They are accountable to the OOW for the direction of the combat system to ensure the accurate, comprehensive and timely processing, evaluation and display of target data.



## **BRd 2**

4. **Watch Navigator.** In a dived submarine it is normal that the responsibility for the execution of navigation be delegated by the Navigating Officer to the OOW. In some circumstances the OOW may be assisted in the execution of navigation by another officer, the watch navigator (sometimes referred to as the 2nd OOW). In this circumstance the watch navigator is to be proficient in those navigation techniques required by the Fleet Commander (BRd 9468). The OOW retains accountability for the navigational safety of the vessel at all times, except when relieved of those responsibilities (see **0803**) or when subject to specific instructions for SSBN OOWs and must supervise the watch navigator accordingly.

5. **Periscope Watchkeeper.** Submarine qualified officers may undertake periscope watchkeeping duties if they are warfare officers. Non-warfare officers and Senior Rates may carry out this duty if they meet the medical requirements, including eyesight standards, and hold the qualifications required by the Fleet Commander (BRd 9468). The officer having 'the look' on the periscope is accountable to the OOW for initiating the emergency action required in the event of a sighting affecting the safety of the submarine. They are also accountable for making standard shipping reports to the OOW and Commanding Officer in accordance with the Commanding Officer's standing orders/night orders.

### **1914. Operations, Administration and Training**

1. It is to be the normal practice for a PWO to remain responsible for administration and training in one sphere of warfare throughout their appointment. Opportunities to obtain experience in the planning and conduct of practices in the opposite spheres, however, should be taken at Commanding Officers' discretion, when opportunities permit.

### **1915–1920. Unallocated**

## SECTION III - NAVIGATING OFFICERS/SUBMARINE NAVIGATING OFFICER

### 1921. Introduction

1. All officers appointed to warfare duties are liable to be called upon to perform navigation duties (see **0809.1c**) in HM ships and submarines.
2. There are currently three levels of navigational expertise relevant to the performance of such duties:
  - a. Navigating Officers of small ships who will normally have successfully completed the Preliminary Navigating Officer's (PNO) course.
  - b. Navigating Officers of destroyers, frigates, submarines, survey vessels and specified patrol craft who will normally have successfully completed the Fleet Navigating Officer's (FNO) course.
  - c. Specialist Navigating Officers (N, PWO(N) and SM(N)) are employed as appropriate on the staffs of senior officers or as Navigating Officers of larger vessels.
3. Where a specialist Navigating Officer is borne, his/her experience and expertise enable a Commanding Officer to place considerable responsibility on him/her for governing the movements of his/her ship and others under his/her command, and for ensuring proper standards of professionalism are maintained by the OOW and the personnel on whom the OOW must depend for the safe conduct of the ship. However, in most ships the Navigating Officer will be a non-specialist and inexperienced, and the Commanding Officer must take account of this when considering appropriate levels of delegation (See **1922.1**).
4. Any officer employed as Navigating Officer may be expected to participate in watch-keeping, divisional and general ship duties which may include the task of Operations Officer. Whenever such duties are allocated, they should not be allowed to detract from the safe conduct of navigation.

### 1922. Purpose and Accountability

1. The Commanding Officer is accountable for the safe conduct of the ship and her company as directed in **0803.1**. In delegating the duty for the conduct of navigation he/she should take full account of the experience, qualifications, ability and availability of the officer nominated for navigating duties and the degree of supervision which may therefore be required. These factors must be addressed in writing standing orders or memoranda.
2. The Navigating Officer's primary purpose is to conduct the navigation of the ship for which he/she is directly accountable to the Commanding Officer. The extent to which the execution of navigation may be delegated is described in **1925**.
3. If the officer borne for navigating duties is a Specialist Navigating Officer, the Commanding Officer would normally delegate the conduct and execution of pilotage to him/her, but a local pilot may be employed at the Captain's discretion. Otherwise the duty remains with the Commanding Officer who may depute any ship's officer.

## BRd 2

However, movements of ships without power, either in tidal or non-tidal waters of a dockyard port, will be ordered by the Queen's Harbourmaster and will be carried out by tugs and an Admiralty pilot. QHM will remain accountable for the safe movement of the ship throughout. Port movements without power outside dockyard ports may take place but should be discussed with Navy Command Headquarters before hand.

### 1923. Tasks of the Navigating Officer

1. To conduct the navigation (see **0809.1a**) of the ship.
2. To plan the navigation (see **0809.1f**) of the ship to meet its operational requirements taking account of all dangers, including the pattern and density of shipping, in or near the planned movements of the ship.
3. To execute the navigation (see **0809.1g**) of the ship except when delegated to the OOW (see **1925**).
4. To advise (see **0809.tf**) the Commanding Officer and OOW on the conduct and execution of navigation, including problems associated with manoeuvring and ship handling.
5. To conduct the pilotage of the ship (but see **1922.3**).
6. To monitor the conduct of any embarked pilot and if he/she has any doubts as to the pilot's ability or advice to inform the Commanding Officer accordingly.
7. To supervise the conduct of bridge personnel with the aims of:
  - a. Maintaining professional standards.
  - b. Training inexperienced or unqualified officers in navigation and watchkeeping duties. In submarines this extends to supervision and training of officers and Petty Officers in control room duties associated with navigation.
8. To ensure the proper maintenance of navigation records so that accurate reconstruction of the ship's planned and actual tracks is possible, as guided by QRRN and BR 45 (series), Manual of Navigation and to ensure that all navigational charts and publications, whether paper or electronic, are correctly and promptly amended before use.
9. To train and supervise bridge staff and assist in the provision of training and supervision for gangway staff, in the latter case in particular for the maintenance of the Ship's Log (RN Form S322).
10. To ensure all navigational equipment and aids are properly used, that related user checks are carried out and that defects are promptly brought to the attention of the officer responsible for equipment maintenance.
11. When no specialist HM Officer or Small Ship's Flight are embarked, the Navigator shall act as the Officer responsible for meteorology and weather forecasting.

## 1924. Authority

1. In fulfilling the above tasks the Navigating Officer has functional authority over the OOW, bridge control room and, except in submarines, wheelhouse personnel and gangway staff.
2. Because the OOW is delegated charge of the ship by the Commanding Officer (see **0803.1** and **3001**) he/she retains the authority to query, modify, delay or veto carrying out any instruction from the Navigating Officer which he/she considers likely to endanger the ship. In such circumstances the Commanding Officer must be consulted at once.

## 1925. Delegation of Navigating Tasks

1. The Navigating Officer is authorized to and will normally delegate the execution of the navigation plan to the OOW as part of that officer's accountability for the safety of the ship (see **3001**). The Navigating Officer retains the functional authority given in **1924**, and must make clear the circumstances in which the OOW should call him/her to the bridge. Such instructions must, in consultation with the Commanding Officer, take account of the relative experience of the officers concerned and the availability of the Navigating Officer, who might himself be watchkeeping.
2. However, there will be times when the Navigating Officer should himself/herself execute the navigation. These may arise under any one or combination of the following circumstances:
  - a. Approaching or operating in the vicinity of shoal waters.
  - b. Operating in restricted visibility.
  - c. Operating in a high density of shipping.
  - d. Making a land-fall.
  - e. Executing pilotage (but see **1922.3**).
  - f. Navigating a group of ships in restricted waters.
  - g. Operating in a complex warfare situation.
  - h. When any change or modification to the navigation plan, particularly at short notice, impinges on the OOW's responsibility for the safety of the ship from collision.
3. No such list can be comprehensive. In every circumstance the decision must rest with the professional judgement of the Commanding Officer and Navigating Officer. However, the Navigating Officer must regularly assess the overall burden on the OOW in relation to the latter's experience, and should never hesitate to take over the execution of the navigation to ensure the safe conduct of the ship. When executing the navigation, the Navigating Officer must always take account of the shipping situation when forming his advice to the OOW.

## **BRd 2**

4. The execution of the navigation is to be turned over formally between the OOW and the Navigating Officer, i.e. 'You/I have the navigation.' The Commanding Officer is to be kept informed, and the handover is to be noted in the Navigational Record Book(S3034).

### **1926. Navigation Manuals**

1. BR 45, The Admiralty Manual of Navigation, Vols 1–9 is to be regarded as the standard works on navigation in Her Majesty's Fleet. The instructions and advice contained therein are to be studied and followed carefully.

### **1927–1940. Unallocated**

## SECTION IV - THE MINE WARFARE AND CLEARANCE DIVING OFFICER

### 1941. Mine Warfare and Clearance Diving Officer

1. The Mine Warfare and Clearance Diving Officer is the qualified (MCD) officer, or the senior qualified (MCD) officer if more than one is appointed.
2. In ships in which no (MCD) officer is borne as part complement, the Captain is to nominate the most suitable officer or officers to perform the duties laid down in these instructions.
3. Officers qualified in mine warfare only are to assume the above order of precedence, and the following duties, for mine warfare matters only. The next most senior officer qualified (MCD) is to assume responsibility for diving and explosive ordnance disposal.

### 1942. General Duties

1. The Mine Warfare and Clearance Diving Officer is responsible to the Commanding Officer for the following:
  - a. The proper employment of the ship's mine countermeasures equipment (including offboard systems when embarked) and the efficiency and training in their operational roles of the officers and personnel who operate them.
  - b. The operational efficiency (except where this is the responsibility of the Weapon Engineer Officer) and correct use of the mine countermeasures equipment and explosives.
  - c. Diving, as described in Chapter 27 and BR 2806, Diving Manual and demolitions and explosive disposal as described in BR 5063, Clearance Diving Operations.
  - d. The operational efficiency and correct use of demolition and explosive ordnance disposal equipments which have been issued to them.
  - e. The duties and responsibilities of the Temporary Ammunition Custodian for explosives issued to them in accordance with Art **2803**.
  - f. Explosive ordnance disposal, including advice and assistance to the Explosive Responsible Officer.
2. Officers are to keep themselves informed of the latest developments in mine warfare, diving and explosive ordnance disposal in all their aspects so that they may in their capacity as Mine Warfare and Clearance Diving Officer, be qualified, in conjunction with other officers concerned, to give advice on:
  - a. The operation of all mine countermeasures forces.
  - b. The tactics of mine countermeasures in all operational conditions and against all types of mine.
  - c. The tactics of mine-laying, including the planning of minefields.

## BRd 2

- d. Defence, including self protective measures against mines by ships other than mine countermeasures vessels.
  - e. All aspects of diving, demolitions explosive ordnance disposal techniques and antisaboteur underwater techniques.
3. In conjunction with other officers concerned, they are responsible to the Executive Officer for the establishment of the Watch and Station Bill.

### 1943. Material

1. The Mine Warfare and Clearance Diving Officer is to act as adviser to the Commanding Officer regarding the operational use of all explosives appertaining to their department. They are to assume the duties and responsibilities of the Temporary Ammunition Custodians for explosives issued to them in accordance with Art 2803 and JSP 862, *MoD Maritime Explosives Regulations*. They are to ensure that any particular safety or other regulations for these stores are brought to the attention of the proper officers (in the case of radio hazards this may include adjacent ships).
2. They are responsible for the safe and timely conduct of all fitting or handling of explosive stores which are required to be carried out by their department.
3. They are responsible to the Executive Officer in consultation with the Explosives Responsible Officer that the organization for explosive safety in their department complies with instructions in JSP 862, *MoD Maritime Explosives Regulations*.
4. They are responsible for ensuring that all mine warfare armament stores and spare equipment issued to them are kept in an efficient condition and in the quantities laid down.
5. They are to have charge of all diving, clearance diving and non-explosive explosives ordnance disposal equipment and is responsible for ensuring that these equipments are kept in an efficient condition and in the quantities laid down.
6. They are to keep in close touch with the Weapon Engineer Officer so as always to know the availability and efficiency of the weapon systems and equipment which are their tactical concern. They are to ensure that the requisite assistance is available for the specified routine performance check tests necessary to establish this material state, and that the operating and training programmes are efficiently co-ordinated with the requirements of the Weapon Engineer Officer for these tests and for routine maintenance and repair.

### 1944. Training

1. In addition to the training responsibilities laid down in **1941.1**, the Mine Warfare and Clearance Diving Officer is responsible to the Commanding Officer for the following:
  - a. The organization and conduct of Mine Warfare and Diving exercises and practices, together with their records and analysis; in conjunction with other officers concerned, they are responsible for ensuring that they are conducted with due regard to safety precautions.

- b. The training of junior officers in MCD matters.
- c. The selection and preliminary training of candidates for mine warfare and diver branch qualifying advancement courses.

2. When borne for fleet duties they are responsible to the senior officer for ensuring that the training of officers and personnel necessary for operation of MCD weapons and equipment is efficiently organized and conducted throughout the fleet or squadron.

**1945–1960. Unallocated**



## **SECTION V - THE OPERATIONS OFFICER**

### **1961. Operations Officer**

1. The Operations Officer should normally be the most experienced Warfare Officer borne, unless the CO has approved a more junior Officer to assume the mantle to broaden the experience of all PWOs on board. In units that separate the functions of Operations Officer and Senior Warfare Officer the latter should adopt the role and responsibilities as Head of Department.

### **1962. General Duties**

1. The Operations Officer is responsible to the Commanding Officer for:
  - a. Providing advice on the operational aspects of tactics and fleet work, on the operational use of weapon systems, emission and communications security policies, and on enemy capabilities.
  - b. The efficient operation of those weapon systems or sub-systems for which he/she is responsible as laid down in Ship's Standing Orders.
  - c. The conduct and safety of practices.
2. The Operations Officer is responsible to the Executive Officer or to the Commanding Officer for:
  - a. The co-ordination of all weapon system training and the efficiency and collective training of the officers and ratings who man the Ship's operational equipment, e.g. action information organization, electronic warfare, sensor and weapon systems and communications equipment.
  - b. The training and drill of the Warfare Department.
  - c. The application of safety rules during operations and exercises including SHIPHAZ (but see 3001 on the responsibilities of the Officer of the Watch).
3. The Operations Officer is responsible for bringing to the notice of the Weapon Engineer Officer any defects in the weapon systems which may be affecting their operational performance.
4. The responsibilities of the Operations Officer may, subject to the Captain's discretion, be discharged through suitably qualified officers or ratings. Other PWOs borne will normally have a considerable number of those responsibilities delegated to them (the division of duties between the PWOs may be made on the basis of an Above Water (A)/Underwater (U) split or some other division at the Captain's discretion. The Warfare HOD should retain the co-ordinating role).

### **1963. Operational Aspects**

1. The Operations Officer is to keep himself/herself informed of developments in:
  - a. The operational capabilities of ships, aircraft, submarines, helicopters, weapons, tactics, sensors and communications equipment.
  - b. The tactics likely to be employed by the enemy and the probable effectiveness of those measures.
  - c. The tactical measures advised in the Royal Navy and in the navies of Allied forces.
2. The Operations Officer is responsible to the Commanding Officer for the collection, reporting and dissemination of intelligence information.
3. The Operations Officer is responsible to the Commanding Officer for assessing the Ship's fighting and operational effectiveness.
4. The Operations Officer is to:
  - a. Arrange briefings as required before operations, exercises and weapon practices.
  - b. Ensure the provision of the appropriate tactical publications and supporting information for presentation to the Commanding Officer and use in the operations room.
  - c. Ensure that there is an efficient organization for the co-ordination and control of all electronic and sonic emissions within the operational policy in force and the appropriate security regulations.

### **1964. The Safety of Explosives**

1. The Operations Officer is responsible for the safe use of any weapon system that is transferred to his/her control, for operational or practice requirements.

### **1965. Operations and Exercises**

1. The Operations Officer is charged with:
  - a. Assisting the Executive Officer in preparing and promulgating the Ship's programme.
  - b. Planning and arranging exercises and practices, ship and aircraft movements, visits, logistic and replenishment at sea requirements to meet the agreed ship's programme.
  - c. Preparation of movement, operations and exercise orders and signals as required.

- d. Acting upon movement, operations and exercise signals received as appropriate.
- e. Co-ordinating the preparation of reports and analyses of weapon practices, exercises, operations and of key training carried out.

#### **1966. Liaison with Weapon Engineering Department**

1. The Operations Officer is to keep in close touch with the Weapon Engineer Officer so as always to know the availability of the weapons, weapon systems and equipment. For those systems for which he/she is responsible, he/she is to ensure that daily operator checks, routine performance checks and other necessary tests are carried out, and that they are carried out correctly. The Ship's operating and training programmes are to be co-ordinated with the requirements of the Weapon Engineer Officer for these tests and for routine maintenance and repair.
2. *See also 1081.*

#### **1967. Training**

1. The Operations Officer is responsible for:
  - a. The training of personnel in the operation of the action information organization, electronic warfare, sensor and weapon systems, and communications equipment, except where this is the responsibility of the Weapon Engineer Officer in accordance with **1017**.
  - b. The training of junior officers in operations and warfare.
  - c. In conjunction with the Flight Commander, the training of aircrew in the ASW, surface and naval gunfire support roles.

#### **1968. Administration**

1. In conjunction with the other officers concerned, the Operations Officer is responsible to the Executive Officer for the establishment and effectiveness of the Watch and Station Bill.
2. The Operations Officer is responsible to the Executive Officer for ensuring that the administration of Warfare Branch personnel and the associated documentation and recommendations are properly conducted, compiled and rendered.
3. The Operations Officer is to draft appropriate orders for the operations section of the Ship's Orders.
4. The Operations Officer is to ensure that all Warfare departmental books are maintained in accordance with the instructions contained therein. These books are to be produced for examination by the inspecting officer at the periodical inspection of the ship. When a ship is paid off for a long refit, conversion or modernisation, and at the end of the Ship's service, the books are to be handled in accordance with current instructions.

## **SECTION VI - THE HYDROGRAPHIC, METEOROLOGICAL AND OCEANOGRAPHIC OFFICER (HM)**

(MOD Sponsor: Capt HM)

### **1969. Purpose**

1. The primary purpose of the HM Officer is to contribute to Information Superiority (IS) by meeting the Command requirement for Geospatial information<sup>1</sup>, intelligence and analysis, including tactical environmental exploitation and aviation forecasting advice. This is supported by the provision of bathymetric and oceanographic survey information, reporting of actual and forecast meteorological and oceanographic conditions, and the assessment of underwater acoustic and above water electro-magnetic and electro-optic propagation, as well as additional geospatial information to support the provision of Maritime Geospatial intelligence.
2. The senior officer appointed to a ship/establishment for HM duties is accountable to the Commanding Officer for the hydrographic, meteorological and oceanographic organisation of the unit.

### **1970. HM Expertise**

1. There are currently three levels of HM expertise relevant to the performance of such duties:
  - a. HM Officers who have successfully completed Basic and Tactical HM courses are qualified to:
    - (1) Produce meteorological shipping and aviation forecasts for both fixed and rotary wing operations worldwide on any platform or at any operating base.
    - (2) Provide sonar, radar, electro optic and electromagnetic performance analysis for all UK Defence capabilities.
    - (3) Conduct any form of hydrographic survey under the direction of a Charge Hydrographic Surveyor (H Charge). HM officers in posts without H Charge supervision are able to conduct surveys and should be encouraged to do so. The data gathered has the potential to be of value in the Command decision making process but the Command should recognise the inexperience of junior HM officers when basing operational decisions on non assured output.
    - (4) Conduct simple Geospatial Intelligence analysis using Geospatial Information Systems (GIS).
  - b. HM Officers who have successfully completed Advanced HM training and are eligible to undertake suitably tagged assignments.

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<sup>1</sup> As defined in JDP-2-00

(1) On completion of the HM Advanced Survey Course, is qualified to plan, execute, analyse and render the output from any form of hydrographic survey (REA or military data gathering) into multi-sourced environmental data sets using GIS techniques undertaken in any part of the world under supervision and guidance of an H Charge Officer.

(2) On completion of the HM Advanced Meteorology Course, is able to manipulate multi-sourced environmental data sets from REA using GIS techniques and provide a full analysis of the environment for the REP, together with the application of advanced level theory and the latest methods, they will be able to provide a full analysis of the effects of conditions, current and future operations to optimise the Command's capability and to aid IS and decision making under the supervision and guidance of a Charge MetOc Officer wherever possible.

c. HM officers who have successfully passed HM Charge Board are eligible to undertake HM charge assignments in Capital Ships, Specialist or General Staffs, in the Hydrographic Survey squadron, Typed Air stations and training establishments. They are AMF and IHO accredited sub specialists and have the authority to supervise all above activity, assure data and products to international standards and provide authoritative SME advice to Command at all level.

#### **1971. Task of the HM**

1. The tasks of the HM will vary widely from one ship or unit to another and will depend on trained skill level. Tasks may include but are not limited to:

a. The conduct and planning of geospatial information collection or survey operations to meet operational requirements. Survey operations may be in support of amphibious warfare (beach surveys), mine warfare (area surveys, route assessment surveys), ocean data gathering or other Military Data Gathering (MDG), requirements as prioritised within the Defence Hydrographic Programme. Surveys may also be conducted as part of the National Hydrographic Programme.

b. Monitoring the quality of survey data at all stages of collection and processing, paying close attention to the potentially significant effects of the environment on data collection and the requirements of the HI.

c. The calibration of survey systems and precision navigation aids.

d. Liaising with Operations and/or Navigating Officers as necessary for:

(1) Ensuring all precision navigation aids are properly used, that related user checks are carried out and that defects are promptly brought to the attention of the officer responsible for equipment maintenance.

(2) Echo sounder calibration.

(3). The supervision in non Hydrographic Survey Vessels of Passage Data Gathering and advise on the ship's ocean route so that data is gathered in sparsely populated areas.

- (4) The submission of Hydrographic Notes.
- (5) Training and advice to provide basic harbour, anchorage and berth surveys.
- e. Promulgation of adverse weather and oceanographic conditions.
- f. Provision of actual and forecast surface wind speed and direction, visibility, cloud, precipitation, icing, turbulence, and atmospheric pressure for ship, fixed wing and rotary wing operations.
- g. Provision of actual and forecast upper winds, temperatures and humidity for aviation, gunnery, missile, nuclear, biological and chemical fallout, radio and radar propagation and electronic warfare applications.
- h. Provision of sea, swell and surf forecasts for naval and amphibious operations.
- i. Provision of advice on the frequency and distribution of meteorological and oceanographic observations.
- j. Provision of advice on sonar range prediction for active and passive sensors, detection, counter-detection, best depth for variable depth sonars and optimum frequency for variable frequency systems.
- k. Provision of advice on electro-magnetic and electro-optic propagation to include the risks of counter-detection.
- l. Provision of advice on how the physical environment may be tactically exploited throughout the whole spectrum of Single service, Joint and Combined operations.
- m. Provision of advice on Sonar Risk Assessment for sonar operations.
- n. Formulate and manage the Recognised Environmental Picture (REP).
- o. Ordering maritime geoinformation products through the Customer Community system as required by the command.
- p. Creation of bespoke Geospatial Intelligence products at request of Command.
- q. Engagement with Specialist Geospatial Centres (UKHO, MetO, JOMOC, DGC (including No1 AIDU) on behalf of Command.

## **1972. In the Absence of an HM Officer**

1. At sea, when no HM Officer is borne, meteorological duties are normally undertaken by the Navigating Officer, whilst the wider aspects of the tactical exploitation of the environment will normally be undertaken by the Principal Warfare Officer, in so far as their training and experience permits. When a flight is embarked the Flight Commander or a delegated aircrew officer is responsible for all aspects of aviation meteorology which affect helicopter operations.

2. At RN ports it is customary for the responsibility for meteorological duties and liaison with the local meteorological organisation to be undertaken by the Queen's Harbourmaster. Elsewhere, in the absence of a local organisation, requests for the provision of services should be addressed to Fleet Commander in accordance with prevailing regulations.

3. HM and METOC ratings at Petty Officer and below are not permitted to autonomously issue aviation forecasts. However, Chief Petty Officer and Warrant Officers who have completed the requisite training and are AMF qualified can produce legal forecasts but cannot undertake departmental charge responsibilities.

### **1973. Provision of HM Information to Non-Service Authorities**

1. HM officers are not to issue data or forecast information to non-Service persons or authorities without prior permission from Joint Force Command (JFC-C4ISR/JtUser-JGI MetOc SO1). Advice may be provided to NATO and civilian units participating in naval exercises and operations. Emergency conditions or operational imperatives may demand otherwise in which case Jt User should be informed as soon after the event as possible.

2. Products and services provided to the RN by the national Hydrographic and Meteorological Office Agencies are not to be provided to non-service authorities without prior approval being obtained from the Ministry of Defence Jt User. Emergency conditions or operational imperatives may demand otherwise in which case Jt User should be informed as soon after the event as possible.

### **1974. HM Guidance**

1. Detailed Information and instructions for the HM Officer are contained in:
  - a. JDP 2-00: Understanding and Intelligence support to joint operations
  - b. NP145 (HM Operational Guidance (HMOG))
  - c. Hydrographic Instructions (HI)
  - d. The Beach Intelligence Gathering Manual
  - e. FOTI 0721 & NATO EXTAC 777 (Rapid Environmental Assessment)
  - f. WMO Technical Regulations No.49, Volume 1, Part V and VI
  - g. HM Officers' Task Book<sup>2</sup>
  - h. Defence Meteorological Production Manual
  - i. S-44 – IHO Standards of Competence for Hydrographic Surveyors

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<sup>2</sup> The taskbook includes both 'H' and 'M' elements and is to be completed by all HM Officers during their first two appointments.

- j. 2018DIN07-126 HM Officers and ratings – United Nations World Meteorological Organisation Competency and Qualification Requirements for Aeronautical Meteorological Personnel
  - k. JSP 847 – The Defence Meteorological Services Manual
  - l. JSP 465 – Spatial Data Policy for UK Defence
  - m. BR 4985(5) Underwater Environment Handbook Vol 5–Managing the Impact of RN Acoustic Operations on the Marine Environment
  - n. 2010DIN01-113 – Introduction of Charge METOC
  - o. *RNTM 01-054/17 – Hydrographic and METOC charge qualifications*
  - p. 2018DIN07-126 – Aeronautical Meteorological Personnel
2. In addition to these publications further instructions and advice will be promulgated as necessary in professional papers and memoranda.



## CHAPTER 20

### THE SENIOR COMMAND WARRANT OFFICERS (SCWO)

(MOD Sponsor: Warrant Officer to the Royal Navy)

This Chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

#### CONTENTS

##### Para

- 2001. Introduction
- 2002. Appointment
- 2003. Authority
- 2004. Uniform

## **2001. Introduction**

1. There are five Royal Navy Senior Command Warrant Officers:
  - a. Warrant Officer to the Royal Navy (WORN)
  - b. Second Sea Lord's Warrant Officer (2SLWO)
  - c. Fleet Commander's Warrant Officer (FCWO)
  - d. DE&S Ships Command Warrant Officer (DES Ships-DG-WO)
  - e. Royal Marines Corps Regimental Sergeant Major (CRSM)
2. Each Warrant Officer will act as independent and autonomous command advisors to the Royal Navy Command on any matter affecting Operational Capability (OC). They are specifically, responsible for reporting to their respective principal, concentrating on emergent areas that may require consideration by the Navy Command Executive Board (NEC) or Navy Board (NavB). They will act as a critical bridge between the non-commissioned and commissioned ranks, represent their principal's intent to the service personnel of the Royal Navy, QARNNS, Royal Marines and Royal Fleet Auxiliary, and act as a N1 conscience. They will also promote adherence to Royal Navy ethos, core values and standards to ensure the highest standards are maintained amongst all personnel.

## **2002. Appointment**

1. Appointment to a SCWO position is via a Selection Board process and personally approved by the respective principal.

## **2003. Authority**

1. WORN is the most Senior Non-Commissioned Officer in the Royal Navy, they are *Primus Inter Pares*. WORN is accountable to the First Sea Lord.
2. 2SLWO is accountable to Second Sea Lord for personnel and units on the Second Line. They have functional authority over all Base Warrant Officers.
3. FCWO is accountable to the Fleet Commander for personnel and units on the Front Line. They have functional authority over all FEWOs, EWOs, Cox'ns, Force and Squadron Warrant Officers.
4. The CRSM is accountable to Commandant General Royal Marines for all RM personnel and all RM units. They have functional authority over all RSMs.
5. DES Ships-DG-WO is accountable to DG Ships in his role to report on the materiel state of the Royal Navy and to understand personnel issues affecting the additional role they have as the Senior Naval Engineering WO.

## 2004. Uniform

1. A black silver top cane with Royal Arms on the top may be carried by 2SLWO, FCWO and DES(Ships) WO. WORN and Corps RSM have specific canes issued for their role. All canes are a symbol of their authority and are authorised to be carried iaw with their duty, irrespective of location. All Cane Drill and uniform requirements are to be iaw BRd1834.
2. Due to ceremonial requirements all SCWOs are entitled to draw a second No.1 uniform with sword slash.
3. All SCWOs are entitled to draw No.1/ (AW) Prestige uniform (BRd3 39A-39)/ RM (BRd3 40A-40).
4. Badges. On taking up the appointment a SCWO is awarded the SCWO emblem, reflecting their principal's badge and may wear it during the period of the assignment only. The badge is to be worn on the left breast in the same position as a NATO force emblem.

## 2005. Requirements

1. The Senior Command Warrant Officer's will need to hold the following competencies:
  - a. **Rank:** Warrant Officer First Class
  - b. **Branch/ Spec:** Any
  - c. **Duration:** 2/3 year appointment
  - d. **Essential Qualifications:** WOSC/ RM equivalent.
  - e. **Essential:** ICSC(M).
  - f. **Desirable:** Keystone.

**CHAPTER 21****PHYSICAL DEVELOPMENT OFFICERS**

*(MOD Sponsor: Head of People Support)*

This chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

**CONTENTS****Para**

- 2101. Regional Physical Development Officers
- 2102. Physical Development Officers

## CHAPTER 21

## PHYSICAL DEVELOPMENT OFFICERS

**2101. Regional Physical Development Officer**

1. **Responsibilities.** A Warrant Officer, drawn from the Physical Training Specialisation, or other nominated officers assigned for Regional Physical Development (PDev) duties, is charged to promote Physical Education (including healthy lifestyle), Sport (including grass roots to elite level), Adventurous Training and Challenging Activities, iaw BRd 51 (Physical Development Handbook), by taking responsibility for:

- a. Overseeing and co-ordinating all PDev output within their respective region, involving the control, planning and organisation of front line vessels/units, Maritime Reserve Units, and RFA vessels with RN embarked personnel. An integral element of this role is to provide Quality Assurance (QA) by highlighting and reporting all issues that adversely affect the proficient delivery of the PDev Agenda. This is achieved through effective monitoring and the accurate capture of output, feedback data and issues of concern (PDev Blockers), the details of which are to be reported to Head of People Support *via* a quarterly return process, as facilitated and managed by the Regional Physical Development (RPD) office in HMS TEMERAIRE.
- b. The logistical support and guidance for the provision of the Royal Navy and deployed units Sport, Adventurous Training and RNFT requirements, wherever in the world. This could involve the loan support of a PT to deliver this tasking.
- c. Promoting inter-part and establishment sports competitions, to influence and improve the skill level and composition of regional representative teams. This is with the aspiration of participants going on to compete at Regional and InterRegional/RN sports championships.
- d. Ensuring wherever possible, that regional competitions are staged at a venue and at a time of year that encourages maximum participation.
- e. Maintaining effective lines of communication with relevant Staff within HMS TEMERAIRE (PEd, Sports Associations and Adventurous Training representatives), to assure the effective promotion and participation of PDev activities.
- f. Providing logistical and secretarial support, as appropriate, for Regional and RN level representative events held within their respective regions. This is to include the production of a termly programme of Grass Roots events across a full spectrum of sports as far as is practicable. This support should include SME direction and guidance associated with the 'player, coaching and official's pathways', from Grass Roots, Inter-Part, Unit, Regional and RN, to representation at UK Armed Forces level.
- g. Providing specialist and technical advice to local Regions and unit Physical Development Officers on policy for the upkeep of PDev estate facilities and grounds. This will include offering advice on the coordinating and maintenance of a long-term PDev Facilities Works Integrated Estate Management Plan.

h. Receiving, disseminating and assuring the effective and correct use of all PDev associated funding for their respective region iaw extant RNTMs. To advise Unit and Ship Executive departments of the various funds, public and non-public, available to support PDev activities. An important function of this role is to provide advice and guidance to those personnel with delegated authority to spend funds on their audit, procurement and governance requirements.

i. Under the authority of Head of People Support monitor the PDev output of unit and ship PT Departments within the region and coordinate QA peer reviews.

j. Coordinating the management of all ships' FOST and pre-FOST inspection/assurance reports, which are to be copied to RPD.

k. Acting as a member of Head of People Support's Assurance Team, that visits all major RN establishments to conduct Assurance visits as directed by SO1 PEd.

l. Liaise with the Training Officer, RNSPT to organise the local delivery of regional Endurance Training Leader (ETL) courses, for Units, Ships and Submarines that have no embarked PT.

m. Ensuring the Region can support all emergant RN Physical Development requirements for military personnel as directed by Head of People Support staff.

n. Liaise with the Training Officer, RNSPT to arrange for the delivery of CPD for the Physical Training Specialisation, promoting high standards of professional competence.

o. Providing guidance and support to Regional RN Sports teams – United Service's Sport Clubs (US) and Devonport Service's Sports Clubs (DSSC).

p. PDev Officers operate under unit Chain of Command line management but are functionally responsible to Head of People Support *via* RPD for Regional PDev output.

2. **Preparation Responsibilities.** Prior to taking up Regional PDev assignments those nominated are to arrange a call on Head of People Support and key members of the PDev HQ staff (SO1 PEd, SO1 AT & Hd Navy Sport).

## **2102. Physical Development Officers**

1. The role of a PDev Officer can be undertaken by WOPTs, CPOPTs, as well as nominated or assigned Officers. As head of a PDev organisation, nominated personnel form and act as the focal point for discharging the responsibilities as laid down in BRd 2, Para 0850. The PDev Officer is charged to facilitate the delivery of unit Physical Education, promote Physical Fitness (including healthy lifestyle), Sport (including grass roots to Elite level), Adventurous Training and Challenging Activities. They hold responsibility to ensure and assure the correct implementation of the RN Fitness Test Policy and protocols by PTs within their unit. For those units without a PT borne, the PDev Officer is to identify suitable candidates to attend an Endurance Training Leaders (ETL) course, to facilitate and provide low level PDev activities.

## BRd 2

2. **Responsibilities.** The PDev Officer is to have functional authority over, and be responsible for, the daily PDev activities and organisation of the PT ratings or ETLs borne. In units where they are in the direct Chain of Command of PT ratings, the PDev Officer is to undertake Divisional Officer/Line Manager responsibilities for PDev staff.

3. The PDev Officer is to assure the correct implementation of the RN Fitness Test Policy and protocols within their respective establishment/unit.

4. **Advisory Duties.** The PDev Officer is to be available to advise the Commanding Officer and/or Heads of Departments on PDev policy matters involving estate, facilities, equipment, funds and grants.

5. **Training.** The PDev Officer is to attend the PDev Officers course prior to assuming his/her role, or as near to assuming the role as is practicable. This course is a 1 day non-residential course delivered via video conferencing and co-ordinated by the RNSPT; further information and dates can be obtained through the RNSPT Training Officer (9380 28061) or via email ((NAVY OP TRG-MWS TEM RNSPT TO)).

## CHAPTER 22

### COMMUNICATIONS OFFICERS

(MOD Sponsor: FLEET COMMANDER - ACOS IW)

This chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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#### SECTION III - THE ELECTRONIC WARFARE OFFICER (SURFACE SHIPS)

- 2230. Operation of Electronic Warfare Equipment
- 2231. Advice to the Commanding Officer
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- 2240. Role of the Crypto Custodian



## CHAPTER 22

### COMMUNICATIONS OFFICERS

#### SECTION I - THE COMMUNICATIONS INFORMATION SYSTEMS OFFICER (AFLOAT)

##### **2201. Communications Information Systems Officer (CISO)**

1. An Officer, detailed by the Command, with responsibility to the Weapons Engineering Officer for employment of CIS equipment and personnel afloat to meet Command aims and objectives.
2. The Navy Command HQ Capability – Information Warfare Force Generation SO1, (the Fleet Communications Officer), will be responsible for IW policy at staff level.

##### **2202. Advice to the Commanding Officer**

1. The officer responsible for CIS is the professional advisor to the Commanding Officer on all exploitation of CIS capability matters. To fulfil this task, the officer, must be aware of the capabilities of all Baseline and Military Task Essential Equipment and on the advice of the professional subject matter expert be able to assist in the application of policies in support of Command aims and objectives.
2. The senior CIS rating is to provide subject matter expert advice on all day to day CIS policy and application matters.

##### **2203. Administration of the CIS Department**

1. The CISO is responsible to the Weapons Engineering Officer for the following:
  - a. The organisation, professional training and supervision of all CIS personnel.
  - b. The upkeep of compartments allocated to the CIS Department.
  - c. Policing of day to day core working practices of the CIS Department as laid down in Ship's and Weapons Engineering Department Standing Orders.
  - d. Safe custody and destruction of all classified material, including Cryptographic material, held by the CIS Department in accordance with JSP 440/490 and 491.
  - e. Monitoring of CIS Watch and Quarterbill to meet the Command aims with due regard to accepted sustainability levels.
  - f. Provision, coordination and allocation of communication circuits to authorized users.
  - g. The organization for handling and internal distribution of signal messages.

##### **2204–2219. Unallocated**

## SECTION II - THE COMMUNICATIONS INFORMATION SYSTEMS ENGINEER (CISE)

### 2220. Operation of Signal Communication Equipment

1. The Communications and Information Systems Engineer (CISE)<sup>1</sup> is a member of the WE Department. He/She is responsible to the WEO for:
  - a. The delivery, administration and management of all of CIS services in support of Command objectives and as required by the operational notice.
  - b. The safety, maintenance, performance, availability, security and custody of all CIS equipment.
  - c. Ensuring that only authorised procedures are used in all operations, testing and maintenance of CIS and other associated systems in his/her charge.
  - d. The performance and operation of CIS equipment as required in support of the Command aims and maintenance of OC.
  - e. The administration of all personnel within the CIS group as directed by the WEO. The WO2 ET is accountable to the CISE for the coordination, regulation and training of the CIS group.
2. In addition he/she is to:
  - a. Act as the Information Systems Manager, providing CIS advice to Command.
  - b. Be a Divisional Officer i.a.w. Chap 3 Para 0308 and BRd 3.
  - c. Undertake duties as Forward Watchkeeping Officer and Ship Control Officer of the Watch, maintaining skills as a Fire Control Officer and Damage Control WEO as directed by the WEO.
  - d. Undertake duties as Officer of the Day when alongside.
3. As Cryptographic Custodian he/she is directly accountable to the USO for the security and custody of all cryptographic material.
4. The CISE is to be responsible for the timely delivery of information as required by the Information Management (IM) Plan, to include the handling and internal distribution of signals and advise all originators of signals on the correct precedence, protective marking and other content of signals, in order to ensure the efficient conduct of signalling.

### 2221–2229. Unallocated

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<sup>1</sup> Responsibilities of CISO can be referred to as Responsibilities of Communication Information Systems Engineer (CISE) in some platforms.

### **SECTION III - THE ELECTRONIC WARFARE OFFICER (SURFACE SHIPS)**

#### **2230. Operation of Electronic Warfare Equipment**

1. The officer accountable for Above Water Warfare will have responsibility for the tactical employment of EW equipment at sea and for the coordination of ASMD. He/She is to be accountable to the Operations Officer.
2. Navy CAP IW CEMA SO1 is responsible for EW policy at staff level.

#### **2231. Advice to the Commanding Officer**

1. The officer responsible for EW is the professional advisor to the Commanding Officer, on all tactical EW and ASMD matters. To fulfil this task he/she is to be aware of the capabilities of the equipment installed and give guidance to the EW Senior Rating on the tactical employment of EW sensors.
2. Advice on EW policy is to be approved by the PWO(CEW), or relevant Staff Officer on the Maritime Battle Staff as appropriate.

#### **2232. Training**

1. The Operations Officer is responsible to the Executive Officer for the training of the operators of EW equipment.

#### **2233–2239. Unallocated**

## **SECTION IV - THE COMMUNICATION SECURITY OFFICER/CRYPTO CUSTODIAN (ALL VESSELS)**

### **2240. Role of the Crypto Custodian**

1. The Crypto Custodian or Alternative Crypto Custodian, (when the former is not available), is personally responsible to the Commanding Officer for the receipt, safe custody, whole-life-accounting and control of all cryptographic and ACCSEC items supplied for use by their unit, in accordance with current regulations.
2. The Crypto Custodian is principle adviser on all aspects of crypto security and methods necessary to provide correct level protection to their crypto holdings. He/she is to take the necessary upward reporting action on any suspected or actual breach of security or a "Practice Dangerous to Security" (PDS) in accordance with JSP 490, Chapter 6.
3. For future requirements, they are to maintain a good liaison with the Weapons Engineering Officer to assure cryptographic requirements meet future fits. They are also to liaise with the Communications Information Systems Officer and Operations Officer to ensure that cryptographic support will meet operational requirements.
4. They are to ensure individual holders and users of cryptographic material are locally trained and Crypto Authorised, and briefed on the requirements for the safe use, custody, mustering, amendment, maintenance when ordered, destruction of cryptographic material for which they are responsible.
5. To ensure that all personnel employed on COMSEC Duties hold the appropriate level of Security Clearance, to include CRYPTO Authorisation, annual re-certification and de-briefings in accordance with JSP 490.
6. When ordered by DES CSD, the Crypto Custodian is to conduct prompt, thorough, 100% muster of the unit's cryptographic items and in liaison with the Unit Security Officer (USO) ensure that all cryptographic items on loan are spot checked on at least a monthly basis.
7. The Crypto Custodian, in liaison with the Confidential Books Officer (CBO), is to produce and maintain plans for the emergency evacuation, protection and destruction of cryptographic items in the event of fire, flood or other emergency.
8. If in any doubt whatsoever on any matter regarding cryptographic material, advice is to be sought immediately from NAVY CAP-IW Dev Info Sys SO2 or NAVY CAP-IW FGen Ops CPO.

**CHAPTER 23****THE EXECUTIVE WARRANT OFFICER**

(MOD Sponsor: Fleet Commander's Warrant Officer (FCWO))

This Chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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- 2301. General Responsibility
- 2302. Primary Duties
- 2303. Secondary Duties
- 2304. Superiors
- 2305. Authority
- 2306. Requirements
- 2307. Notes

## CHAPTER 23

### THE EXECUTIVE WARRANT OFFICER

#### 2301. General Responsibility

1. The Executive Warrant Officer (EWO) is the Command Advisor on the Moral Component of Operational Capability (MC of OC) and is responsible to the Command for the management and co-ordination of the Ship's Company. The EWO must be proactive, analysing the Ship's programme and in conjunction with Departmental Coordinators (DEPCO) forecast personnel requirements while taking into account the need to manage individuals' Separated Service, leave, training and career aspirations.

2. The EWO is to fully understand the MC of OC, defined as 'Properly selected, trained, led and sustained people instilled and inspired with the will and determination to fight and win'. They are to ensure the Command is kept informed of all onboard issues affecting the MC of OC and for ensuring the CO's intent is understood by the Ship's company.

3. The EWO advises on personnel development, including Command, Leadership and Management (CLM) and is required to set and maintain the highest standards through personal example. As champion of the Divisional/Regimental System, they are to monitor and reinforce the standard and operation of the organisation. There will be a need for regular liaison with the CO, XO, HoDs, DHoDs, DOs, Departmental Training Officers and shore authorities. In addition, they will attend CHoDs, HoDs Meetings, Weekly Planning Meetings and be Chairperson of the DEPCO Forum as the Whole Ship Coordinator.

#### 2302. Primary Duties

1. To be the Command Advisor on MC of OC, morale and all N1 issues.

2. To manage the Ship's Crewing Profile, advising the Command on routines and leave policy, to meet operational requirements and to ensure individual personal harmony, training and development are delivered.

3. To be the Ship's principal point of contact with Dir P&T organisations and Flotilla for the provision of assignments, course bookings and career advice.

4. As the Whole Ship Coordinator, oversee DEPCOs for the employment of personnel on board.

5. To control the delivery of the onboard Induction process.

6. By appointment is to be President of the Warrant Officers and Chief Petty Officers' Mess or combined Warrant Officers and Senior Rates'<sup>1</sup> Mess, as appropriate.

#### 2303. Secondary Duties

1. To carry out the duties of a HoD and represent the Command in higher level personnel and programming meetings as required.

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<sup>1</sup> Including SNCOs.

2. To be Chairperson of the DEPCO's Forum, to assist, advise and direct DEPCOs.
3. To be Divisional Officer to members of the Executive Department. However, this is not be a Division of a size likely to impair their responsibilities.
4. To quality assure Watch and Station Bills.
5. To assist the Equality, Diversity and Inclusion Lead Advisor in ensuring that policy, directives and training are adhered to. This includes providing the necessary advice and guidance on the handling and recording of complaints.
6. To act as the Unit Liaison Officer when Compulsory Drug Testing is required.
7. To be the Ship's Trauma Risk Management Team Manager.
8. To be the Ship's Human Performance Champion.
9. To carry out the duties of a 'Command Rover'.
10. To be the CLM Champion, maintaining a close liaison with the CLM Officer on the delivery of training and the preparation of ratings for LRLC or SRLC.
11. To assist the XO in support of the Divisional system, providing N1 advice on personnel issues, attending Carer's Forums and Case Conferences as required. To support and advise Divisional Officers regarding routine Divisional Meetings, ensuring feedback from matters arising is communicated to the originator and where necessary, issues are fed to the appropriate level, (e.g. Command, Flotilla, NCHQ, etc.).
12. To accompany the CO at functions, events and during visits in the capacity of the Ship's Senior Non-Commissioned Officer. In addition, to accompany the CO or XO on their respective formal rounds.
13. To be the Ship's Internal Communications Director. To maintain regular communication with the respective Flotilla EWO (FEWO) and act as focal point for the Senior Command Warrant Officers' visits to the Ship.
14. To provide advice, guidance, leadership and direction as required to all personnel and act as a mentor irrespective of rank or rate.
15. To oversee the management and allocation of accommodation on board.

#### **2304. Superiors**

1. EWOs are accountable to the Command for the delivery of their routine responsibilities.
2. FEWOs<sup>2</sup> have functional authority over EWOs in their respective Flotilla. The FCWO has functional authority over all FEWOs.

<sup>2</sup> FEWO(SUBFLOT) has functional authority over Submarine Cox'ns. FEWO(SURFLOT) authority will include Surface Ship Cox'ns and other WO1s/CPOs with a N1 lead role in the SURFLOT organisation.

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3. FEWOs will have a N1 focus for their respective Flotilla. This involves duties such as assurance, coaching, advising and mentoring; however, the full range of ToRs will be detailed by Flotilla. This will take into account the range of unit EWOs and Cox'ns that are in their area of responsibility.

### **2305. Authority**

1. By appointment the EWO is to be considered the senior non-commissioned rank onboard<sup>3</sup>.

2. The EWO has authority over all other Warrant Officers and Senior Rates/SNCOs<sup>4</sup> in their capacity as President of the Warrant Officers and Senior Rates Mess.

3. The EWO has functional authority over the DEPCOs for their whole ship departmental co-ordination functions.

4. Only personnel that are serving on board a Ship and have completed the EWO Course are authorised to be called EWOs<sup>5</sup>.

### **2306. Requirements**

1. Rank: Warrant Officer First Class.

2. Branch: CAPPs/EXEC,

3. Duration: 2/3 year assignment,

4. Essential Qualifications: EWO Course, WOSC, DDI(A), TRiM, and DO's Courses.

5. Desirable Qualification: ICSC(M).

### **2307. Notes**

1. The seniority of the appointment and the range of responsibilities precludes them being included as an Officer of the Day or any other standing duties.

2. A minimum period of one week should be allocated to the handover period between successive EWOs.

3. Any proposed changes to these ToRs are to be authorised by Fleet Commander via FCWO.

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<sup>3</sup> This includes embarked personnel, irrespective of Service or Fighting Arm.

<sup>4</sup> Including OR6-OR9 equivalents.

<sup>5</sup> Special exceptions will require Warrant Officer to the Royal Navy approval.



CHAPTER 24

AVIATION OFFICERS

(MOD Sponsor: Fleet Commander: Dir FGen (NAvn)

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2401.	Aviation Officers Duties

**CHAPTER 24**

**AVIATION OFFICERS**

**2401. Aviation Officers Duties**

1. All Aviation Officers duties and responsibilities are detailed in BRd 767, FAA 1700 (FAA Duties and Responsibilities), and BRd 766.

CHAPTER 25

PHOTOGRAPHIC OFFICERS

(MOD Sponsor: Deputy Assistant Chief of Staff Media Communication and Engagement)

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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2501.	Photography
2502.	Photographic Rating

## CHAPTER 25

## PHOTOGRAPHIC OFFICERS

**2501. Photography**

1. The photographic policy for the Royal Navy, the operational sponsorship of the RN Photographic Specialisation and the maintenance of photographic standards is the responsibility of the Assistant Head of RN Media and Communications within the role of Principle Professional Employer. Navy Command Photographic Specialisation Advisor is responsible for ensuring all necessary photographic support is available to meet the RN's requirement for photography, this includes:

- a. Intelligence.
- b. Media Imagery and Video.
- c. Operational Tasking.
- d. Trials and Exercises.

Full details are contained in the BRd 870 Manual of Naval Photography.

**2502. Photographic Rating**

1. **Responsibilities.** Photographic Specialisation Ratings are responsible for advising on the uses and tactical applications of photography and video, seeking SME advice from the Navy Command Photographic Specialisation Advisor based in Fleet Regional Photographic Unit (East), HMS Excellent when required. They should also maintain a close liaison with specialist area managers as determined by task requirements.

2. **Submarine Service.** The Area Photographic Manager (North), based at the Fleet Regional Photographic Unit (North) HMNB Clyde, is responsible for the following:

- a. Advising COMSUBFLOT, Capt FASFLOT and the Submarine Flotilla on all aspects of periscope photography.
- b. The quality control of all photographic work carried out by personnel qualified in periscope photography and serving within the Submarine Flotilla iaw BRd008.
- c. The installation, calibration and management of submarine periscope photographic equipment. Only relevant to Trafalgar class SSN's.
- d. Oversee the instruction of all submarine photographic operators in the use of their equipment.

3. The Area Photographic Manager (North) and FRPU(N) staff are required to deploy to sea onboard submarines in the course of their duties.

**CHAPTER 26****OPERATIONS ROOM PERSONNEL**

*(MOD Sponsor: FLEET COMMANDER ACOS(W))*

This chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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## CHAPTER 26

## OPERATIONS ROOM PERSONNEL

**2601. Operations Room Supervisor (ORS)**

1. Suitably qualified and experienced senior ratings or leading hands are to be nominated by the Captain as Watchkeeping ORSs.
2. During their watch, the ORS is responsible to the Principal Warfare Officer (PWO) for:
  - a. The efficient compilation, validation and display of the Operational Tactical situation obtained from own sensor information and that of remote units.
  - b. Implementing the manning and equipment requirements of the PWO.
  - c. The provision of those services required to ensure the efficient conduct of the operations room, and the effective flow of internal and external communications to and from the operations room.
  - d. Ensuring that equipment failures or defects that affect operational efficiency are reported without delay to the relevant sections.

**Notes:**

1. *Should there be no PWO closed up, the ORS is to assume the duties of Officer in Charge of the operations room and consequently becomes responsible to the Officer Of the Watch (OOW).*
2. *For a breakdown of other Officer/Supervisors and Compiler Operations Room Duties refer to BR 1982 Part 3 Chapter 16.*

**2602. Air Warfare Officers**

1. Ships carrying area defence weapons or in which fixed wing aircraft are embarked will be complemented with suitably qualified and experienced officers as watchkeeping Air Warfare Officers (AWO).
2. The AWO is the officer delegated with authority to conduct the air battle. He/She is subordinate to the PWO
3. **Responsibilities.** He/she is responsible for:
  - a. The safety of all aircraft under his/her direction.
  - b. The tactical employment and direction of aircraft used for air defence, including aircraft used in the Airbourne Early Warning (AEW) role.

- c. The weapon co-ordination and integration of all Anti-Air Warfare (AAW) assets under or assigned to the ship's tactical control and the deconfliction of weapon systems from aircraft.
  - d. Safe airspace management and co-ordination of airspace users within his/her sphere of influence unless an Air Director (AD) is borne to whom aspects may be delegated. (See **2603.2d**).
  - e. The supervision of fire control emission safety during flying operations. (See **1901.5**).
  - f. Ensuring that the action information organization meets the tactical and safety requirements of air operations.
  - g. Command Advisor for principles of Ballistic Missile Defence when conducting duties of Air & Missile Defence Commander on behalf of the Officer Tactical Command (OTC).
4. The AWO is responsible for the overall supervision and training of Fighter and Helicopter Controllers (HC).

### **2603. Air Director**

- 1. In the QEC, suitably qualified and experienced Fighter Controllers (FC) will be complemented as watchkeeping AD.
- 2. **Responsibilities.** For the purpose of allocating and co-ordinating the mission control and safety services provided to aircraft, the on watch AD is responsible to the AWO, or in his/her absence the PWO for:
  - a. The safety of all aircraft controlled by the ship's FC and HC.
  - b. The standard of mission control of air defence aircraft and the safety services provided by all FC and HC on watch in the discharge of their duties.
  - c. Ensuring that ship's FC and HC are not tasked to control more aircraft than their qualification and weather conditions permit.
  - d. The tactical airspace management and safe co-ordination of air assets under the ship's control with those being controlled by co-operating units.
  - e. Carrying out AWO's AAW directives.
  - f. Liaison with relevant embarked Flag Staff, AWO, PWO, Aircraft Controllers (AC), Air Traffic Controllers (ATC), Flyco, Air Operations and APS for the efficient management of air assets during both mission and recovery/departure phases of any sortie.
  - g. Liasing with aircraft controllers and particularly the Homer to ensure awareness of the development of potentially hazardous or emergency situations.

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- h. Ensuring that the position of ditched aircraft or baled out aircrew is passed to the AWO and the Operations Officer.
- i. Monitoring the timely despatch/receipt of Airmove and Operations Normal messages.
- j. Ensuring the efficient compilation of the Situational Awareness Plot for air safety purposes.
- k. Ensuring all Fighter and Helicopter Controllers establish appropriate control rules.
- l. Taking the appropriate overdue action for aircraft under the ship's control.
- m. Providing a tactical appreciation for pre-flight briefings.

3. The Senior AD is responsible to the senior AWO for the standard of the ship's fighter and helicopter control team.

### 2604. Fighter Controller

1. FCs are Warfare Officers qualified to undertake and be responsible for the mission control and safety of fixed wing aircraft assigned to them according to their control grade. They should also be conversant in the methods of Air Battlespace Management and act as the Command Advisor in such matters.

2. **Responsibilities.** A FC is responsible to Command through a SQEP Warfare Officer for:

- a. The mission control and safety services of all fixed wing aircraft assigned to them.
- b. Advice on the capability, current state and use of weapon systems under the FC's control.
- c. Supporting the planning and conduct of AAW serials and operations.
- d. Advice on the application of Air Battlespace Management systems and procedures.
- e. Acting as the Command Meteorological Advisor in the absence of a METO or an embarked Ship's Flight.

3. **Current Knowledge.** The FC is to keep themselves current in:

- a. The capabilities, performance and associated weapon systems of all aircraft likely to be placed under their control.
- b. The current techniques in the employment and tactical use of such aircraft and associated weapon systems.



- c. The capabilities, tactics and countermeasures employed by potential enemy aircraft.
- d. The mission control requirements and safety services for the control of aircraft in both the UK and operational environments.
- e. The capabilities and limitations of the unit and associated systems used for aircraft control and Air Battlespace Management.

#### **2605. Aircraft Control**

1. The type of control which ACs are permitted to execute, in certain environmental conditions, depends on the control grade of the controller. These grades in turn depend upon the qualification and the current practice of the controller and are laid down in BRd 768.
2. When Air Systems (AS) are being employed tactically, they will receive mission control, together with a safety service. Mission control is that aspect of control related solely to an AS's operational task. When not being employed tactically, AS may be provided with a safety service only.

#### **2606. Aircraft Controller**

1. ACs are ratings qualified to undertake and be responsible for the mission control and safety services of AS according to their control grading.
2. **Responsibilities.** The AC is responsible to the PWO for:
  - a. The provision of appropriate safety service and/or mission control of AS to him/her.
  - b. To be conversant, current and compliant with the maritime procedures laid down in BRd 766/768.
  - c. Keeping Command informed of AS status and any other factors affecting aviation safety and /or tactical situation.
  - d. Compilation of the flying briefing form under the direction of the responsible officer iaw BRd 766.
  - e. Provision of appropriate aviation advice to Command.
  - f. Understand the capabilities and limitations of maritime ATM equipment used as detailed in CCUs.
3. In QEC the AC is responsible to the AWO through the AD when closed up for paragraphs 2b, c, d, e, f, h, i, j.

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4. **Current Knowledge.** The AC is to remain current in:
  - a. The capabilities, performance and weapon system characteristics of all AS likely to be placed under his/her control, and the action to be taken in the event of an aviation emergency or ditching.
  - b. The current techniques in the employment of AS and their weapons.
  - c. The capabilities and method of operation of those ship equipments used for aircraft control.

### 2607. **Air Traffic Control Duties**

1. All Air Traffic Control duties and responsibilities are detailed in BRd 767, FAA 1700 (FAA Duties and Responsibilities).

**CHAPTER 27****PERSONNEL WITH RESPONSIBILITIES FOR THE CONTROL OF DIVING**

(MOD Sponsor: Military Diving Capability Sponsor (SO1 MCM DEOD NCHQ))

This chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

**CONTENTS****Para**

- 2701. Diving Officer
- 2702. The Diving Supervisor
- 2703. Mine Warfare and Clearance Diving Officer

## CHAPTER 27

### PERSONNEL WITH RESPONSIBILITIES FOR THE CONTROL OF DIVING

#### 2701. Diving Officer

- a. The Commanding Officer shall appoint the most appropriate Officer, Warrant Officer or, in extremis, Chief Petty Officer (Royal Navy only) Diving Supervisor qualified in the diving plant and equipment being operated. The CO is to clearly annotate the DivOs effective appointment dates within a letter of delegation.
- b. The DivO is to confirm in writing to the Commanding Officer that they are sufficiently resourced and capable of conducting their duties and responsibilities.

#### 2702. The Diving Supervisor

The Diving Supervisor shall ensure, so far as reasonably practicable, that the diving project is conducted without risk to health and safety of those taking part. The Supervisor may give reasonable instructions to any person, including students, taking part in the diving project.

- a. A supervisor must be appointed in writing by the Diving Officer. If a diving project is taking place over such an area or timescale that its operation cannot be controlled by one supervisor, then further supervisors shall be appointed. Written appointments shall clearly define the times and areas of control.

#### 2703. Mine Warfare and Clearance Diving Officer. See Chapter 19, Section IV.

**CHAPTER 28****OFFICERS AND RATINGS RESPONSIBLE FOR EXPLOSIVES AND SMALL ARMS**

(MOD Sponsor: NAVY SHIPS - EXP SO2)

This chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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- 2809. The Air Weapon Supply Officer
- 2810. Duty Officer
- 2811. Other Officers with Explosive Safety Responsibilities
- 2812. The Officer Responsible for the Custody of Small Arms
- 2813. Royal Naval Shore Establishments

## **CHAPTER 28**

### **OFFICERS AND RATINGS RESPONSIBLE FOR EXPLOSIVES AND SMALL ARMS**

#### **2801. Introduction**

1. BR 862, MoD Maritime Explosives Orders, are mandatory for regulating the safe embarkation, storing, handling and use of explosives in ships owned by, operated by Surface Ships, HM Submarines, Royal Fleet Auxiliary (RFA), Government owned Contractor Operated (GOCO) vessels, Contractor Owned Contractor Operated (COCO) vessels and ships on MOD/DTMA charter. If the regulations cannot be met guidance is to be sought from the NAVY SHIPS-EXP SO2.

2. The applications and responsibilities of personnel involved with the safety, custody and handling of explosives differ in some detail between Surface Ships, Submarines, RFAs and STUFT. BR 862, Chapter 1 of Volume 1 (Surface Ships), Volume 2 (Submarines) are to be read in conjunction with Articles 2802 - 2811.

#### **2802. The Executive Officer**

1. The Executive Officer is responsible to the Captain or Commanding Officer for the overall co-ordination of whole ship activities affecting the safety of explosives in the Ship or Submarine. The responsibilities of the Executive Officer are detailed in BR 862 Chapter 1.

#### **2803. The Explosives Responsible Officer (ERO)**

1. All HM Ships, Submarines and vessels under DSA02-DMR regulations are to have a designated and trained ERO to ensure that the regulations for the safety of all explosives held on board the ship are enforced. The ERO is responsible for magazines and compartments containing explosives and the competence of the Delegated Explosives Responsible Officer, Duty Officers, Officers of the Quarters (OOQ), Temporary Ammunition Custodian (TAC) and Competent Maintainers (CM), where embarked, in the safety and handling of explosives.

2. The ERO is to be a Commissioned Officer (or senior rating for minor war vessels) nominated and trained to fulfil the responsibilities specified in BR 862, Chapter 1 of Volumes 1 and 2 for Surface Ships and Submarines respectively and recognized as such on the Unit Personnel List. In ships subject to three watch manning there may be the requirement to have more than one trained individual and the organization is to be such that there is always an ERO on board. Supplementary guidance is contained in BR300, which applies to all EROs regardless of specialisation.

3. The ERO will be assisted in discharging these duties by Delegated Explosives Responsible Officers.

#### **2804. Delegated Explosive Responsible Officer (DERO)**

1. A DERO is a Commissioned Officer/Warrant Officer/Senior Rating who has successfully completed the relevant mandatory training and is nominated in the Unit Personnel List, to undertake delegated tasks and temporarily assume the ERO's responsibility in his absence. The responsibilities of the DERO are detailed in BR 862 Chapter 1.

#### **2805. The Specialist User Officer (SUO)**

1. The SUO is a trained Officer nominated in the Unit Personnel List, who is charged with the temporary custody of explosives stores needed to fulfil operational tasks. The SUO is responsible for ensuring that stock levels of munitions are maintained, and the correct accounting is conducted. The SUO is responsible for the training and certification of Competent Users. Their responsibilities are detailed in BR 862 Chapter 1. In ships subject to three-watch manning there may be the requirement to have more than one trained individual and the organization is to be such that there is always an SUO onboard.

#### **2806. Officer of Quarters (OOQ)**

1. OOQs are qualified personnel nominated in the Unit Personnel List for a quarter as designated in BRd 9600 (Ship's General Orders) Chapter 19. They are accountable to the ERO for the safety of all explosives associated with that quarter. Application and responsibilities of the OOQ are in BR 862 Chapter 1.

#### **2807. Temporary Ammunition Custodians (TAC)**

1. TACs are qualified Officers or Senior Ratings nominated in the Unit Personnel List and detailed in BRd 9600 (Ship's General Orders) - Chapter 19. They report directly to the SUO and are responsible for the safety of all explosives in their temporary charge which have passed the Explosive Delivery Point into their custody. Though a TAC will normally be at least a Senior Rating, a 'Leading Rating' may be nominated in the UEL to manage sea safety (SOLAS) and RAS explosives stores only.

#### **2808. The Logistics Officer**

1. The Logistics Officer will account for all Naval Armament Stores in accordance with BR 862 and the Defence Logistics Framework (DLF), and as amended by local orders approved by Type Commanders.

#### **2809. The Air Weapon Supply Officer**

1. The Air Weapon Supply Officer is an Officer trained specifically for air weapons and explosives control and handling duties in nominated ships, as detailed in BR 862 Chapter 1.

2. The Air Weapon Supply Officer is accountable to the Explosive Responsible Officer for:

- a. The safe stowage and handling of all explosive stores held in air weapon magazines in ships, including the preparation of all aircraft explosives and weapons, prior to their formal transfer to Specialist User Officers.

- b. Supervision of Officers of Quarters of air weapon magazines.

### **2810. Duty Officer**

1. At sea or in harbour the Officer of the Watch (or Senior Duty Officer if no OOW is on duty) and in harbour the Officer of the Day is responsible for ensuring that appropriate ship safety measures are enforced before personnel with the requisite authority are permitted to move explosives outside magazines or weapon stowage compartments.

### **2811. Other Officers with Explosive Safety Responsibilities**

1. Other Officers with particular responsibilities for explosives safety are detailed in BR 862 Chapter 1.

### **2812. The Officer Responsible for the Custody of Small Arms**

1. **Responsibilities.** The Officer designated by the Commanding Officer is responsible for the safe custody of all Small Arms, detailed in the Ship's or Fleet Establishment's Electronic Management of Munitions Allowances (EMMA) Entitlement Listing, which includes provision for a unit's Royal Marine detachment. They are also responsible for private firearms (see Para 3621). The Officer designated is to ensure that:
  - a. When not in use all Small Arms are locked in the designated small arms store with their unique breech mechanism fitted and that all are marked with the weapon serial number. The weapons are to be secured against unauthorised removal in accordance with JSP 440.
  - b. The keys of all Small Arms stowages are kept in the armament key safe and issued only to selected and named personnel.
  - c. All personnel that will draw keys for issue of small arms are to be authorised by countersignature of the individual name (not appointment) by the Commanding Officer. This is either to be recorded in the Explosives Log or by CTM.
  - d. Ammunition and/or charged magazines for use with small arms are never stowed in the same compartment as the weapons, except when operational needs dictate and with the approval of the Commanding Officer iaw BRd 8988.
  - e. The greatest care is taken against improper removal of small arms, which must always be accounted for by their registered numbers and recorded in Form S.3016, Small Arms Register.
  - f. The musters of small arms called for in Form S3016, Small Arms Register, are carried out correctly and recorded.
  - g. When small arms are removed from their storages for use or maintenance they are re-stowed correctly on completion.
  - h. The mustering and checking of small arms is carried out in accordance with Attractive to Criminal and Terrorist Organisations (ACTO) policy laid down in Navy Command Security Regulations, Part 2 Leaflet 5.



- i. Weapons which have exceeded the date for Mandatory Equipment Inspection as laid down in the Army Equipment Support Publication (AESP) for the specific weapon or are not deemed Fully Fit are immediately withdrawn from use and quarantined, until an inspection / repair has been conducted by a fully qualified maintainer.

### **2813. Royal Naval Shore Establishments**

1. Explosives safety in Royal Naval Shore Establishments and HM Naval Bases is to be organised and administered in accordance with JSP 482 MOD Explosive Regulations.

## CHAPTER 29

### ESTABLISHMENT/UNIT SECURITY OFFICER

*(MOD Sponsor: Navy Command PSyA)*

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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2901. Duties of the Establishment/Unit Security Officer

## CHAPTER 29

## ESTABLISHMENT/UNIT SECURITY OFFICER

## 2901. Duties of the Establishment/Unit Security Officer

1. The duties of the ESyO/USO include:

a. **Advice.** Advise the Commanding Officer/Head of Establishment on all security matters contained in JSP 440, (The Defence Manual of Security), Navy Command Security Regulations (NCSRs) Royal Naval Security Directives (RNSDs) and the NC Security Risk Management Policy contained in NCSRs Leaflet 2.

b. **Security Risk Management Policy.** Produce and maintain the ship/unit/establishment Security Risk iaw NC Security Risk Management Policy. The Policy document provides the policy, guidance, metrics and templates to aid the identification of security weaknesses within a unit's assets and provide a process to report on the risks and issues associated with those weaknesses.

c. **Threat Assessment.** React to assessments obtained from NAVY-PSYA or PJHQ on the threat to unit security from Terrorism, Espionage, Sabotage, Subversion and Organised Crime (TESSOC) in both peace and war; and the planning and implementation of counter-measures, including the preparation the appropriate sections of a Single Incident Response Plan (SIRP) for Incident Management in the event of a terrorist incident. For shore-establishments, the annual Threats and Vulnerability Assessment Review for Counter Terrorist (TVAR-CT) can be used to inform the Incident Management process.

d. **The Focal Point System.** The ESyO/USO is to establish a Focal Point System (FPS) which fulfils the MOD requirement for rapid dissemination of urgent warnings in accordance with FPS & Terrorist Activity Reporting, of likely terrorist activity or information regarding real or suspect terrorist incidents which require immediate notification to units/establishments. FPS has been established to meet the requirement for rapid dissemination of:

- (1) Urgent warnings of likely terrorist activity.
- (2) Information regarding real or possible terrorist incidents.
- (3) Urgent changes in the Counter Terrorist or TESSERAL Response Levels as ordered by the MOD, Commanders or HoE on a local basis.

e. **Security Education and Training.** The ESyO/USO is to organise education of all personnel on the threat, and their responsibilities for countering it, and training of individuals having specific security duties and responsibilities. Nominal roles of those personnel who have attended education and training are to be maintained.

- f. **Security Coordination.** Coordinate all aspects of physical, documentary, and personnel security within the unit, and advise on security matters as required. Liaise with the IT Security Officer (ITSO)<sup>1</sup> as necessary to ensure all aspects of IT security are correctly managed. Coordinate the preparations for external Security Assurance Visits and Inspections by Navy Command Security Team, and carry out actions required for Self Assessments.
- g. **Security Responsibilities.** Monitor and subsequently ensure all ship/unit/establishment personnel hold appropriate in-date security clearance for their JPA positions, advising/facilitating re-application via SYVETT as required and raising appropriate Risk Management paperwork when required.
- h. **Security Standing Orders.** Prepare and maintain Unit Security Standing Orders and ensuring that they are well promulgated, understood and observed.
- i. **Security Orders, Regulations and Instructions.** The ESyO is to be conversant with relevant current security policy, orders, regulations and instructions and advising the HoE on their implementation.
- j. **Establishment Security Self Assessment (ESSA).** This requires ESyO/USO of establishments/units to complete a questionnaire on a number of defined security questions covering security issues.
- k. **Protective Security.** Maintenance of protective security through systematic reviews, checks and inspections to ensure that:
- (1) The recommendations of security surveys, inspections and audits have been implemented and that, where appropriate security staff have been informed of the reason for non-compliance.
  - (2) Security equipment such as security control cameras, IDS and access control systems are functioning correctly and records of routine testing is maintained.
- l. **Security Control.** Maintain control of all security keys, custody of written records of combination lock settings. Maintain accurate records of system administrators login and password details and ensure that combination lock settings and security cabinet combinations are changed as required by regulations.
- m. **Briefing of Personnel.** Ensure that civilian and service personnel joining the unit are briefed on the Unit Security Standing Orders, local instructions and the threat. Brief and debrief personnel travelling to Countries to which Special Security Restrictions Apply (CSSRA) informing PSYA (CI SO2) in accordance with JSP 440 guidelines. Conduct the Annual Threat Awareness Briefs for the Establishment/Unit, amending the general PSyA brief to include any local threats or risks.
- n. **Aftercare Incident Reports (AIR).** Monitor and advise the Commanding Officer/Head of Establishment on the requirement for Aftercare Reports.

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<sup>1</sup> Appointment of an ITSO is a Command responsibility as directed by JSP 440.

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- o. **Change of Personal Circumstances Form.** Direct personnel to complete a Change of Personal Circumstances Form if newly married, divorced, or when a relationship with a foreign national of a CSSRA country becomes serious or health issues that need to be reported to DBS NSV; and also direct individuals holding Developed Vetting (DV) Security Clearance to complete an annual Security Appraisal Form (SAF).
  - p. **Spot Checks and Musters.** Arrange and monitor all spot checks and musters as required by JSP 440 eg, arms, ammunition, explosives, documents, crypto etc.
  - q. **Emergencies.** Advise on emergency destruction and fire preparedness procedures and the security aspects of Incident Management necessary to maintain Business Continuity.
  - r. **Security Incidents.** Conduct initial investigations into all security incidents and recommend, where necessary, further action to the Commanding Officer/Head of Establishment. Maintain a record of all incidents, and ensure that incidents are reported to NC Warning, Advice and Reporting Point (WARP) iaw NSGs; poc 9380 25894, NAVY-PSYA WARP1 SO3C.
  - s. **Records.** Maintain necessary security records.
  - t. **Liaison** Liaise with the Navy Command Security team, the local Home department Police Force and local fire brigade.
  - u. **Security Defects in Ships.** Report to FLOC, etc, security defects and shortcomings prior to refit so that they may be remedied during refit.
2. Further amplification of the ESyO/USO duties will be found in JSP 440 and RNSDs.

**CHAPTER 30****OFFICER OF THE WATCH**

(MOD *Sponsor*: NCHQ-ACOS(W))

This chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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## CHAPTER 30

### OFFICER OF THE WATCH

#### SECTION I – OFFICER OF THE WATCH

##### 3001. Purpose and Accountability

1. The primary purpose of the OOW at sea and in harbour is to ensure, as the Commanding Officer's representative, the safety of the ship in all its aspects, but especially from risk of collision and grounding at sea.
2. The OOW is accountable to the Commanding Officer for the safety of the ship in all its aspects. They retain charge of the ship as described in **0803**. Such charge shall not be given up unless so directed by the Commanding Officer, Executive Officer or, in certain circumstances, the Navigating Officer. (See **0803.3**.) Charge of the ship is to be turned over formally between OOWs, i.e. 'You/I have the ship'.
3. The relationship between the OOW and Navigating Officer is described in **1923–1925**. Whether or not the Navigating Officer has taken the execution of the navigation the OOW never loses their overall accountability for the safety of the ship. They therefore retain the duty to keep themselves informed of the position of the ship and navigation hazards at all times.
4. If the Navigating Officer wishes to pilot the ship by giving conning orders directly to the Quartermaster, they must make arrangements to become the OOW. The former OOW then becomes their assistant and deals with matters of internal safety, supervision of the routine and ceremonial as set out in Captain's Standing Orders; they should continue to keep a vigilant lookout.

##### 3002. Tasks

1. **Supervision of the Watch.** They are to see that the watch are constantly at their posts and alert and attentive to their duties. They are to take pains to instruct them in their respective duties, pointing out any mistakes that may have been made and how mistakes should be avoided in future.
2. **Night Rounds.** During the night they are to be careful that rounds are carried out as laid down in ship's orders and that every part of the ship is visited to see that there are no irregularities or any signs of fire or flooding, and they are to see that the results of such rounds are reported to them.
3. **Safes.** When the Officer of the Watch is required to hold money, railway warrants, or other material or documents requiring secure stowage, the Senior Watchkeeper is to assume full responsibility. They are to make out a muster book listing all the contents of the safe. In turning over the watch, the new Officer of the Watch is to muster all the contents of the safe and sign the muster book. It is this signature which transfers responsibility from the Senior Watchkeeper. The Commanding Officer is to sign the Officer of the Watch's safe muster book weekly.

4. **Ship's Log.** The Officer of the Watch is to see that the Ship's Log is written up correctly and that all entries required by the instructions printed inside the cover of the log (see also BRd 0045(4) *Admiralty Manual of Navigation – Conduct of Ships at Sea*) are duly made. At the end of their watch they are to initial the log as proof that all necessary entries have been made and are correct.
5. **SHIPHAZ.** They are responsible for ensuring that personnel are not employed aloft in the vicinity of equipment without the correct SHIPHAZ being taken out at the SHIPHAZ Board.
6. **Watertight and Citadel Integrity.** They are at all times responsible for ordering and controlling the correct CBRNDC state of readiness and condition. In the event of flooding or damage they are immediately to order 'Close all red openings'. Control of the state and condition orders may be exercised through the officer or rating in charge of CBRNDC HQ when this is manned. This officer or rating is then to keep the Officer of the Watch informed of the extent of any flooding, damage or other hazard.
7. **Embarkation, Disembarkation and Handling of Explosives.** The general responsibilities of officers and the precautions required for weapons are laid down in JSP 862, *MOD Maritime Explosive Regulations - Surface Ships & Submarines*, and current DINs.
8. **Fuelling and Arming Aircraft.** The responsibilities of officers and the precautions required are laid down in DBR 1754, *Regulations for the Safe Storage and Handling of Petroleum Products in HM Ships and Submarines*, or JSP 862 and current DINs.
9. **Embarkation and Disembarkation of Fuel and Flammable Stores.** The Marine Engineer Officer is generally responsible for these operations; the precautions required are laid down in DBR 1754.
10. **Radio Transmission in an Emergency.** If it is essential to carry out radio transmissions on normally restricted transmitters during the handling of explosives and/or flammables, work is to be suspended and all handling is to cease.
11. **Aircraft Radio.** In addition to the relevant instructions contained in the books quoted above, certain special instructions concerning the operation of aircraft radio transmitters on the flight deck and in hangars are given in AP (N) 140, *Naval Aircraft Maintenance Manual*.
12. **Lightning.** In view of the possibility of being struck by lightning or of induced discharge from metallic structures due to a close lightning discharge, strict precautions should be taken in the event of a thunderstorm and all loading or unloading of explosives or handling of flammable stores is to cease from the time the first thunderclap is heard until the storm has passed. Hoisting whips are to be removed at least six feet from explosives or flammable stores.
13. **Divers.** Before granting permission for diving operations the correct SHIPHAZ is to be carried out. They are to check that similar precautions in ships alongside, or in the vicinity in the case of high powered sonars, have also been taken.



### 3003. Responsibilities at Sea

1. **Taking Charge and Handing over the Watch.** On every occasion before taking charge of a watch at sea, the Officer of the Watch is to see that the ship is in her correct station, or position, on a Submarine this will include fixing the ship before proceeding to the bridge.
2. After taking charge of the watch they are not, until properly relieved, to leave the primary conning position except when the Commanding Officer directs that they may carry out their duties at another position. They are to see that every necessary precaution is taken to prevent accident and, in war, that the ship is as perfectly prepared for battle as circumstances permit (*but see 1901 and 1902* when a Principal Warfare Officer is closed up and the ship is controlled from the operations room).
3. On giving up charge of the watch they are to be careful to inform their relief of all the orders, whether conveyed by signal or otherwise, which remain unexecuted. If in company with other ships they are to point out the position of the officer in tactical command of the unit, of the guide or guides of the ships generally. They are to inform their relief what power is available and, generally, to give them all information that may serve to enable them to keep station and out of danger.
4. **Responsibilities in Relation to the Commanding Officer.**
  - a. All the duties and responsibilities of the Officer of the Watch at sea referred to in this section remain with them wherever the Commanding Officer may be, unless they are relieved of all or any of them by specific order of the Commanding Officer.
  - b. The normal method of transfer of responsibility for handling the ship shall be by the Commanding Officer using the formal phrase 'I have the ship'. However the Commanding Officer will also be deemed to have relieved the Officer of the Watch of their responsibility for charge of the ship if they give a direct wheel or telegraph order, or if additionally in a submarine they give a direct hydroplane, main ballast blow or ship system order normally given by the Officer of the Watch.
  - c. In either of the above circumstances the relieving of the Officer of the Watch of their responsibility for charge of the ship shall be deemed to have relieved them of their responsibilities for her safety from collision or grounding under para **3001**. The responsibilities of the Officer of the Watch in other matters remain with them and they should also dictate the circumstances in which the Navigating Officer may relieve the Officer of the Watch and assume the latter's responsibilities (see **0803.3**).
  - d. When the Commanding Officer has relieved the Officer of the Watch of some or all of their duties and responsibilities under this section, the Officer of the Watch is not to resume the duties and responsibilities of which they have been relieved unless and until the Commanding Officer specifically orders them to do so. Before giving such an order, the Commanding Officer is to be satisfied that the Officer of the Watch is ready and able to resume those duties and responsibilities.
  - e. If at any time they feel that they have or are likely to receive insufficient information on which to discharge those duties fully, the Officer of the Watch must inform the Commanding Officer without delay.

5. **General Conduct of the Ship.** At all times when at sea, as far as is practicable, they are to keep themselves informed of the position of the ship. They are to be careful that the ship is properly steered, and that a complete account of her movements is kept in the *Ship's Log*, an electronic audio record is to be kept of Helm and Wheel orders.

6. When approaching land, or in pilotage waters, they are to ascertain whether land, navigational marks or lights are in sight; if not, whether they are likely to be seen; and all other particulars which may be of use in keeping the ship out of danger. They are to ascertain the Commanding Officer's instructions regarding the use of radar (consulting the Principal Warfare Officer when the ship is controlled from the operations room) and other navigational aids, as well as the taking of soundings and the clearing away of anchors and cables.

7. They are to make themselves thoroughly acquainted with the international regulations for preventing collisions at sea, set out in BR 453 *International Regulations for Preventing Collisions at Sea*, which are on all occasions, and particularly in fog, to be very carefully observed.

8. They are to alter course and speed as required to maintain station, to carry out the evasive steering plan in force, to act as the Commanding Officer may direct upon initial contact with the enemy or as the Principal Warfare Officer may direct when the ship is controlled from the operations room, and to avoid immediate danger. On all other occasions they are to obtain the Commanding Officer's directions before altering course or speed or as laid out in the Sea Order Book.

9. When in company, they are to be extremely careful to keep station with other ships, and is to report at once to the Commanding Officer if unable to do so. They are to inform the Commanding Officer of all changes of formation, course or speed, including changes of course and speed by the guide of the unit, or an adjacent ship, but not including alterations of course in accordance with the evasive steering plan in force and small alterations made without signal for the purpose of keeping station (see Clause 12).

10. They are to inform the Commanding Officer, or cause them to be informed, of all strange vessels or objects seen; of all signals of which, in their opinion or in accordance with the Commanding Officer's orders, they should be made immediately aware and, in general, of all occurrences worthy of notice (see Clause 12).

11. **Responsibilities in Relation to the Officer in Charge of the Operations Room.** In discharging their responsibilities for the safety of the ship, the Officer of the Watch is to take account of the advice of the Officer in Charge of the Operations Room, who may have better information available to them than the Officer of the Watch. The Officer of the Watch must not hesitate to seek information or clarification from the Officer in Charge of the Operations Room as necessary. The Officer of the Watch must appreciate that in a complex situation the Officer in Charge of the Operations Room will also be involved in the tactical situation. Notwithstanding this, all the duties and responsibilities of the Officer of the Watch at sea remain applicable irrespective of the relative seniorities of the Officer of the Watch and the Officer in Charge of the Operations Room. The Officer of the Watch has, under the Commanding Officer, final responsibility for the safety of the ship and may therefore accept or reject advice or instructions given by the Officer in Charge of the Operations Room. In any difference of opinion as to the action to be taken the Commanding Officer must, if time permits, be informed.

12. **Responsibility of the Officer of the Watch When the Ship is Controlled from the Operations Room.** In conducting operations from the operations room the Commanding Officer, or as delegated by them the Principal Warfare Officer, should control the ship by passing instructions to the Officer of the Watch. The Officer of the Watch has authority to query, modify or delay or veto any instruction, which appears likely to lead to a dangerous situation. Additionally the Officer of the Watch should always report circumstances that may not be appreciated by those in the operations room, and should always be prepared to take any action that may be necessary. Should in exceptional circumstances the Commanding Officer con the ship from the operations room, the Officer of the Watch is responsible for informing the Commanding Officer immediately should they see a potentially dangerous situation arising. The ship is never to be conned by the Principal Warfare Officer from the operations room unless directed to do so by the Commanding Officer when at shelter stations. These regulations apply to a surfaced submarine where the control room equates to the operations room. The reports required by Clause 9 and 10 are, after the information has been exchanged between the Principal Warfare Officer and the Officer of the Watch when necessary, to be made by the Principal Warfare Officer.

13. In MCM vessels fitted with Joystick (PJC) and/or AIO (NAUTIS/CAAIS) controls in the Operations Room, the Commanding Officer is authorised to con the Ship from the Operations Room in PJC or AIO control. The OOW is responsible for informing the Commanding Officer immediately should they see a potentially dangerous situation arising. The Commanding Officer is also authorised to delegate the con to the Mine Warfare Officer (MWO) in the Operations Room in PJC or AIO control. Under such circumstances when in AIO control the bridge NAUTIS/CAAIS console is to display the MCM track plan: when in PJC control the MWO is to keep the OOW fully informed of intended movements. When the ship is being conned by the MWO, the OOW remains responsible for the safety of the ship. If the OOW considers the ship to be standing into danger when being conned by the MWO, the OOW is to revert to bridge control and take over the con until the danger is past.

14. **Responsibilities in Relation to the Officer or Rating in Charge of the Control Room in a Submarine.** In a submarine on the surface, the officer or rating in charge of the control room watch is the equivalent of the Officer in Charge of the Operations Room. In a dived submarine the Tactical Officer of the Watch is the equivalent of the Officer in Charge of the Operations Room: this duty will normally be combined with that of the Officer of the Watch.

15. **Routine Duties.** The Officer of the Watch is to ensure that the necessary orders are given for carrying out the routine duties of the ship. In war they may be relieved of this responsibility at the discretion of the Commanding Officer.

16. **Signals and Lights.** The OOW is to take care that a good look-out is kept for all signals; that no unauthorized visual or sound signals are made; that, between the hours of sunset and sunrise, the authorized navigation lights are displayed; that no lights are visible from outboard which might cause the authorised lights of the ship to be obscured or mistaken; and, when the ship is darkened, that no unauthorized lights are visible from outboard.

17. **Look-out Personnel.** Both by day and by night the OOW is to station look-out personnel in accordance with the Commanding Officer's orders; they are to ensure that they are at their proper stations and know their duties; they are frequently to caution them to be on the alert; they are to take care at all times to have them relieved sufficiently frequently.

18. **Seaboats.** The state of seaboats will be briefed once a day to the Officer of the Watch. When they take charge of the watch they are to satisfy themselves that the seaboats are ready for lowering, manning is correct and that the boats are correctly rigged and equipped for the prevailing circumstances. At any time the OOW may think necessary, they are to cause the watch and the seaboats' crew to be mustered.

19. **Boat Safety.** The Officer of the Watch is to pay particular attention to safety in boats (BRd 0067 *Admiralty Manual of Seamanship* Art 05118 and BRd 9467 *FLAGOs* Chap 8 refer) and is to be consulted before all transfers at sea and in harbour. They are to ensure that:

- a. The Coxswain briefs all passengers on safety requirements including the control of movement around the boat, the correct rig appropriate to the prevailing weather and sea conditions and the procedures for maintaining personal safety in the boat in rough weather.
- b. The correct lifesaving equipment is worn according to the prevailing conditions.
- c. Particular attention is paid to the safety of boat navigation with routes briefed and dangers/speed limits identified. All onboard navigation aids are to be employed.
- d. The Coxswain is aware of the weather forecast and that boats are not overloaded.

20. **Safety of Personnel on Upper Deck.** the OOW is responsible that orders are given to prevent any person going on to the weather decks when sea conditions or alterations of course or speed are likely to make it dangerous. Should it be necessary for personnel to go on the weather decks in dangerous conditions they are to ensure that orders are given to them to use upper deck lifelines, safety harnesses and to wear hazardous duty lifejackets at all times. The Officer of the Watch is also responsible for ensuring all personnel are subsequently clear of the upper deck on completion of the evolution (See also **0903.6**).

21. **Fishing Vessel Log.** They are carefully to comply with the instructions contained in the *Fishing Vessel Log* (Form S.1176) so far as they relate to them.

### **3004. Responsibilities in Harbour**

1. **Taking Charge and Handing over the Watch.** On every occasion before taking charge of a watch in harbour the OOW is to obtain the following information from the officer they are relieving:

- a. The anchor bearings, if the ship is at anchor.
- b. The anchor or anchors down, if the ship is at anchor, and the amount of cable veered on each anchor.
- c. The number of boats lowered and any boats which are away from the ship.
- d. The routine in force.
- e. The positions of any flagship in company and of the ship of the senior officer of the squadron or division to which the ship is attached.

- f. Any orders, whether conveyed by signal or otherwise, which remains unexecuted.
  - g. The machinery state.
  - h. The Damage Control state and condition in force. After taking charge of the watch they are to be constantly on deck until properly relieved. On giving up charge of the watch the OOW is to be careful to turn over to their relief all relevant information in regard to their watch and that of their relief.
2. **General Responsibilities.** The OOW is responsible for the outward appearance of the ship, the orderly conduct of all on board, the safety and appearance of all boats working under their orders and ensuring that the proper marks of respect are paid to passing vessels and officers visiting the ship (see Chapter 3 and **9201**). They are to ensure, both in the course of their rounds and otherwise, that all possible steps are taken to minimize the risk of fire.
3. They are to see that the routine duties are carried out on deck and that the regulating staff carry out the instructions laid down in Chapter 34.
4. They are to keep a good look-out on the weather, and if the weather or the visibility deteriorates they are to inform the Commanding Officer or the senior officer on board and are to take such precautions as may be necessary for the safety of the ship, her boats and her equipments.
5. The OOW is responsible for ensuring that brows, gangways and ladders are kept rigged in a way which permits their safe use in all states of weather and tide. They are also to ensure that a lifebuoy, a lifeline and a short-range buoy-light are provided near the Quartermaster's position in case of accident.
6. **Signals and Lights.** They are to take care that a good look-out is kept for all signals; that no unauthorized signals are made; that, between the hours of sunset and sunrise, the authorized anchor lights are displayed; and when the ship is darkened, that no unauthorized lights are visible from outboard. When colours are lowered before or after sunset the anchor lights are to be switched on at sunset. Unless specially ordered by the senior officer present, masthead obstruction lights are to be burned only when it is clear that the ship's masts constitute a hazard to aircraft operating in the vicinity.
7. **Boat Safety.** The Officer of the Watch is to pay particular attention to safety in boats in accordance with **3003.19**.
8. **Inspection of Firearms.** They are to inspect all small arms, sporting guns and other weapons brought over the gangway to ensure that they are not loaded. (See **3621**—Private firearms.)
9. **Foul Hawse.** When the ship is moored, should the hawse become foul the OOW is immediately to report to the Commanding Officer and cause the Navigating Officer to be informed as well.

### **3005. Authority**

1. The authority of the OOW is laid down in **0338**. In ships in harbour and in shore establishments the duties and authority of the OOW may at the Commanding Officer's discretion be delegated to an Officer of the Day.
2. The OOW has functional authority over all personnel as described in **0338** in fulfilling their tasks.

## SECTION II – THE OOW IN (DIVED) SUBMARINES

### 3006. General

1. All references to the 'OOW' within this section will be assumed to refer to the OOW (Dived). The following articles supplement the instructions to OOWs contained above.

### 3007. Purpose and Accountability

1. The OOW (Dived) is the Commanding Officer's representative in the Control Room, in which capacity, their purpose and accountability is in accordance with **3001.1** and 2.
2. In a dived submarine, the senior officer on watch having all qualifications required by the Fleet Commander (BRd 9468 *FLAGOs (Submarines)*), and authority delegated to them by their Commanding Officer, is designated the Officer of the Watch. Additionally the Fleet Commander is to lay down the minimum qualification and specific tasks for OOD, Ship Control OOW and Watch Navigator (2nd OOW) in BRd 9468.

### 3008. Tasks and Responsibilities

1. **Accountability.** The OOW is accountable to the Commanding Officer for the safety and readiness of the ship as follows:
  - a. The safety of the submarine and her company in all aspects, except when relieved of that responsibility (see 0803.1)
  - b. The safe, efficient and effective control of the submarine.
  - c. The direction of all sensors and their operators to optimise search, detection, classification and tracking.
  - d. The direction of the command system to ensure the accurate, comprehensive and timely processing, evaluation and display of target data.
2. **Supervision of Subordinates.** When an unqualified officer or rating is carrying out any of the duties listed below (**3008.3–3008.6**) the OOW is personally accountable for the detailed execution of the task. When a qualified officer or rating is closed up the OOW remains accountable for the overall execution of the task and so should exercise a degree of supervision commensurate with the experience of the subordinate. The OOW should draw attention to potentially dangerous situations early and should be stationed where their experience and expertise are most required.
3. **Ship Control.** The Ship Control OOW derive their authority from the OOW and is subordinate to the OOW. They must hold all qualifications required by the Fleet Commander (BRd 9468). They are accountable to the OOW for:
  - a. Control of routine 'ship control' functions such as maintaining the submarine's trim.
  - b. Running the ship's routine.



c. Initiating the emergency action required to counter any ship control incident or damage which may hazard the safety of the submarine.

4. **Tactical Picture Supervisor (TPS).** The TPS is to be closed up to assist the OOW; they derive their authority from the OOW and are subordinate to the OOW. They must hold all qualifications required by the Fleet Commander (BRd 9468). They are accountable to the OOW for the direction of the combat system to ensure the accurate, comprehensive and timely processing, evaluation and display of target data

5. **Watch Navigator.** In a dived submarine it is normal that the responsibility for the execution of navigation be delegated by the Navigating Officer to the OOW (see **1925**). In some circumstances the OOW may be assisted in the execution of navigation by another officer, the watch navigator (sometimes referred to as the 2nd OOW). In this circumstance the watch navigator is to be proficient in those navigation techniques required by the Fleet Commander (BRd 9468). The OOW retains accountability for the navigational safety of the vessel at all times, except when relieved of those responsibilities (see **0803**) or when subject to specific instructions for SSBN OOWs and must supervise the watch navigator accordingly.

6. **Periscope Watchkeeper.** Submarine qualified officers may undertake periscope watchkeeping duties if they are warfare officers. Non-warfare officers and Senior Rates may carry out this duty if they meet the medical requirements, including eyesight standards, and hold the qualifications required by the Fleet Commander (BRd 9468). The officer having 'the look' on the periscope is accountable to the OOW for initiating the emergency action required in the event of a sighting affecting the safety of the submarine. They are also accountable for making standard shipping reports to the OOW and Commanding Officer in accordance with the Commanding Officer's standing orders/night orders.



**CHAPTER 31****OFFICER RESPONSIBLE FOR EDUCATION AND RESETTLEMENT DUTIES**

*(MOD Sponsor: DACOS(T))*

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

**CONTENTS****Para**

- 3101. Officer Responsible for Education and Resettlement Duties
- 3102. Education Officer's Assistant

**CHAPTER 31**

**OFFICER RESPONSIBLE FOR EDUCATION AND RESETTLEMENT DUTIES**

**3101. Officer Responsible for Education and Resettlement Duties**

1. In Units and establishments in which no Officer is specifically borne for education and resettlement duties, an officer is to be detailed by the Commanding Officer to organize and administer the education and resettlement conducted; he/she will be known as the Education and Resettlement Officer. The ERO is to be a serving officer, a Retired Officer, a Civil Servant or suitably qualified civilian with the requisite experience. Additionally, for small ships or ships with reduced companies e.g. in refit a Senior Rating may undertake the duties of ERO. Details of ERO's courses are available from Base Learning Centres.
2. In large shore establishments, the tasks of education and resettlement may be separated and conducted by different officers. In this case one will be known as the Education Officer and the other as the Resettlement Officer.
3. The regulations for the conduct of education are contained in BRd 3 Chapter 96 Naval Personnel Management, JSP 822 Sections 6.4 to 6.5 and resettlement in JSP 534 the Tri-Service Resettlement and Employment Support Manual. These are to be followed by officers detailed to perform these tasks. When necessary the officer is to seek the guidance of the Base Education Officer or Naval Resettlement Information Officer as appropriate. Any queries against policy should be directed to ED & APP SO2 Policy lead in NCHQ.
4. All EROs, whether ashore or afloat, are functionally accountable to the Deputy Assistant Chief of Staff (Training) for the professional standards of education and resettlement in their Unit or Establishment. EROs will be audited for compliance with these standards and regular inspections will be carried out.

**3102. Education Officer's Assistant**

1. Education Officer's assistants are to be appointed in ships and establishments where authorized by complement.
2. The selection and duties of personnel for Education Officer's assistant are contained in BRd 3.

**CHAPTER 32****YOUNG OFFICERS' TRAINING OFFICER**

(MOD Sponsor: BRNC)

This chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

**CONTENTS****Para**

- 3201. General
- 3202. Task
- 3203. Training Programme
- 3204. Task Book
- 3205. Training Record
- 3206. Reports

## CHAPTER 32

### YOUNG OFFICERS' TRAINING OFFICER

#### 3201. General

1. The Young Officers' Training Officer (YOTO) is the most important of an officer's secondary duties and it must be undertaken by an experienced officer, preferably at Head of Department (HOD) level. In a minor war vessel the YOTO is to be the Commanding Officer (CO) or the First Lieutenant.

#### 3202. Task

1. The YOTO is responsible to the CO for the welfare and training of all Young Officers (YOs) appointed or loaned to the Ship for Common Fleet Time (CFT) or Specialist Fleet Training (SFT) with support and day-to-day responsibility from the appropriate Ship's HOD. The YOTO should be the Ship's focus for the overall YO training pipeline advice.

#### 3203. Training Programme

1. The time allocated for sea training in the Fleet is very short and therefore the YOTO is to ensure that each YO receives a structured and supervised training programme which:
  - a. Builds up confidence, leadership ability and officer-like qualities.
  - b. Prepares them to perform the general duties of a naval officer at sea and alongside.
  - c. Prepares them for Wardroom life.
  - d. Develops a basic understanding of the way a Ship achieves its operational task and how its departments are organised.

#### 3204. Task Book

1. In order to assist in this task, the branch specific Training Delivery Authorities (TDAs) provide each YO with SFT Taskbooks. The YOTO is to ensure that the guidance in this publication is followed, and that sufficient progress is achieved.

#### 3205. Training Record

1. The branch specific TDAs should be consulted for clarification of recording requirements.

#### 3206. Reports

1. The branch specific TDAs should be consulted for clarification of reporting requirements.

**CHAPTER 33****PUBLIC RELATIONS OFFICERS**

*(MOD Sponsor: DDC)*

*(RN Sponsor: Assistant Hd of RN Media and Communication)*

This chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

**CONTENTS****Para**

- J.3301. Public Relations - General
- J.3302. Visits by Press Representative
- J.3303. Incidents Liable to Cause Parliamentary or Press Comment
- 3304. Navy Media, Communications and Engagement Organisation
- 3305. Online Engagement

## CHAPTER 33

## PUBLIC RELATIONS OFFICERS

**J3301. Public Relations - General**

1. While observing the need for personal and operational security and the confidentiality of many Service transactions, members of the Armed Forces have a responsibility for promoting and protecting the Royal navy's reputation through good relations with the public and the Press. The regulations in this chapter are supplemented by [DIN 2020DIN03-005: Contact with the Media and Communicating in Public](#). 'Press' includes not only newspapers and periodicals but also other specialist and corporate publications, radio and television, films, video, social media, and the Internet ie. all information media. It should be noted that the DIN also covers communicating in public and online engagement as well as contact with the media. The rules and authorisation procedures governing contact between members of the Armed Forces and Defence civilians and Parliamentarians are detailed in [2016DIN05-25 Contact with Parliamentarians](#).

**J3302. Visits by Press Representatives**

1. Commanding Officers must ensure that instructions governing the admission of Press representatives to HM ships, units and establishments and the facilities to be granted in connection with such visits, are carefully observed. If in any doubt whatsoever, early contact is to be established with NCHQ – Royal Navy Media, Communications and Engagement staff or the Command Media staff if deployed as part of a Task Group.

**J3303. Incidents Liable to Cause Parliamentary or Press Comment**

1. In general, the preceding regulations deal with the control of information and the release of it to the Press. It is equally important, however, that Commanders and senior officers and, as appropriate, Officers in Command of detached units should provide the Ministry of Defence, specifically the Directorate of Defence Communications (DDC) with the earliest possible official information of any incidents, occurrences or unusual events in which the Royal Navy, or the Army or the Royal Air Force is involved and which may be liable to form the subject of comment in Parliament or in the Press.

2. When it is impossible for a full account of any incident to be rendered before the facts have been thoroughly examined, an incomplete account should be sent at the earliest moment, followed in due course by any detailed report considered necessary.

3. Where such an incident occurs in a detached unit, the Commanding Officer is to inform the Ministry of Defence direct by immediate signal, as well as the Fleet Commander and such other authorities as may be laid down in local orders. The Defence News Office is manned 24 hrs a day and can be reached on Main Building Mil Ext. 9621 87907 BT 0207 2187907 or through the Whitehall Operator.

### 3304. Naval Media and Communications Organization

1. The Directorate of Defence Communications (DDC) in the Ministry of Defence has specific naval representation at a number of levels, including news management, communication planning, campaigns and strategy. DDC Navy leads with 'National' level Royal Navy media engagement as well as RN coherency with the wider Ministry communications effort.
2. Within Navy Command HQ the Navy Head RN Comms is responsible for drawing together, through the RN Strategic Communications Plan (RNSCP), all aspects of single service communication as well as providing direction and guidance to RN DDC staff on issues concerning the maintenance of Naval reputation and promotion. Reputational issues are cleared through RN Policy Secretariat staff. Head RN Comms is responsible to the Navy Board for delivering the RNSCP.
3. **Staff/Regional PROs.** Full-time Staff and Regional Public Relations Officers are appointed to the staff of certain Flag Officers and Naval Base Commanders. The functions of this officer include: advice to the command on the public relations aspects of local naval activities; co-ordination of naval information within the command, and liaison between the local Press and naval ships and establishments.
4. **Ship and Establishment PROs.** In each ship of MWV size and above and in each naval establishment, the Commanding Officer is to detail an officer to carry out the duties of Public Relations Officer (PRO) in addition to their normal duties. PRO duties include looking after members of the Press when on board, providing direct liaison with the local Press and keeping the Command (or Staff) Public Relations Officer informed of all subjects of potential Press interest. All officers designated as PROs are to attend the Tri-Service Defence Communicators Course, either prior to appointment or as soon as practicable thereafter.
5. **National Press Matters.** PROs should normally deal with the local Press and with matters of purely local interest; any matters of a controversial nature, or which are likely to be of interest to the national Press, are to be referred to Command communications staff and to the MOD DDC as soon as possible. Outside normal office hours, urgent inquiries to the Ministry of Defence should be directed to the Duty Press Officer (020 7218 7907). Signals can be sent to MODUK using SIC EUA with 'For DDC PR NEWS Duty Press Officer' in the first line of the text but, wherever practicable, telephone alert is the preferred means in the first instance .

### 3305. Online Engagement

1. All online engagement should also comply with Sections 24 and 25 of [DIN 2020DIN03-005: Contact with the Media and Communicating in Public](#).

## CHAPTER 34

### THE ROYAL NAVY POLICE, CHIEF OF THE BOAT AND COXSWAIN

(MOD Sponsor: PMN)

This chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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## CHAPTER 34

## THE ROYAL NAVY POLICE, CHIEF OF THE BOAT AND COXSWAIN

**3401. Royal Navy Police (RNP) Duties - Responsibilities and Authority**

1. **Responsibility.** Where applicable, the Executive Officer, or any other officer nominated by them in their absence, is to ensure that any RNP ratings on the unit's complement, carry out the instructions contained in this section.
2. The RNP is a specialisation within the Warfare Branch consisting of commissioned and non-commissioned ranks i.e. Commander (Provost Marshal (Navy)), Lieutenant Commander, Lieutenant, Sub Lieutenant, Warrant Officer First Class (Police) (WO1(Police)), Chief Petty Officer (Master at Arms) (CPO MAA), Petty Officer (Police) and Leading Hand (Police).
3. Chief Petty Officers, Petty Officers and Leading Ratings of any other branch may be required to assist the RNP outside of their normal duties. When considering their employment for this purpose, ratings of the medical branch should be given due regard to the duties required of them and any possible ethical objections to such employment.
4. In the absence of the CPO(MAA) or PO(Police) the duties of the Senior Royal Navy Policeman (SRNP) are to be performed where possible, by the LH (Police) or where no RNP rating is borne, any other non-commissioned officer the Commanding Officer may appoint.
5. In ships where there are no RNP ratings, these duties are to be performed by the Chief of the Boat or Coxswain. Instructions in this section and elsewhere in these regulations relating to the SRNP may also apply to the Chief of the Boat or Coxswains or any other non commissioned officer appointed by the Commanding Officer in this role.
6. RNP have powers of arrest, under Sections 67, 69 & 303 of the Armed Forces Act 2006 (AFA 06), over all Service personnel and civilians who are subject to Service discipline.
7. Any other person may also be called upon to conduct an arrest in accordance with Sections 110 and 111 of AFA 06.

**3402. The Senior Royal Navy Policeman (SRNP) Responsibilities**

1. Where applicable, the SRNP is responsible directly to the Executive Officer for the following:
  - a. All RNP duties, excluding the conduct of RNP investigations, which are independent of the Chain of Command (see QRRN J.3604 – Independence of Service Police Investigations and BRd 3 2042 – Investigation of Offences) and for which the SRNP is only responsible to Provost Marshal (Navy) (PM(N)).
  - b. The reporting of any incidents, offences, irregularities, causes of dissatisfaction or any other ill feeling that may arise amongst the Ship's Company.

- c. Ensuring that all subordinate RNP staffs carry out their duties with diligence and integrity in accordance with the RNP Code of Ethics and that they deal with emerging situations in an effective and pragmatic manner.
- d. For proactive policing and engaging in activities that seek to deter any offences, on ship or ashore, that promote the ethos of good order and discipline amongst the Ship's Company (See QRRN 3602 - Maintenance of Good Order).
- e. Maintaining a complete and auditable record of all lost and found property and its continued retention or disposal (see QRRN 3614).

### 3403. Ratings Under Punishment

1. **General.** The SRNP is to be fully conversant with all summary punishment procedures in accordance with JSP 830 - Manual of Service Law and is to ensure that punishments awarded are administered correctly.
2. **Reports.** The SRNP is to provide the Executive Officer with a list of all ratings under punishment and ratings under investigation on a regular basis. They are also to complete the relevant part of the Weekly Logistics Report.
3. **Charges.** The SRNP is responsible for all ratings under or awaiting punishment, until released to duty or otherwise disposed of.
4. **Visits.** Where applicable, the SRNP, or delegated RNP staff are to visit all personnel in custody and ensure their continued safety in accordance with established risk assessments and the overarching principles outlined in JSP 837-Service Code of Practice for the Management of Personnel in Service Custody and Committal to Service Custody Premises and Civil Prisons.
5. **Fire or Danger.** Where fire or any other danger, threatens the wellbeing and safety of any person in custody, the SRNP is responsible for the release of the individual from custody.

### 3404. Personnel Proceeding Ashore on Liberty

1. The SRNP or rating nominated by them for such duty, is to ensure that personnel proceeding ashore on liberty are supervised during their departure from the ship and are dressed in accordance with the standards laid down in the Ship's General Orders and/or BRd 3 Part 6-Uniform Regulations. On expiry of leave the SRNP must inform the Officer of the Watch / Day of any personnel not accounted for.
2. When considered necessary, the SRNP is to ensure that personnel proceeding ashore on liberty, boats' crews and boats are searched when leaving and returning to the ship, in order to ensure that HM Revenue and Customs Regulations for the RN in accordance with BRd 1990. SRNP are to ensure that no public or Service property is taken from the ship unlawfully and that no prohibited items, substances or alcoholic liquor is brought on board the ship (see QRRN 3501(6) and 3502 for privileges of Warrant Officers, Chief Petty Officers, Petty Officers and Leading Rates).

### 3405. Customs

1. The SRNP is to be fully conversant with HM Revenue and Customs for the RN outlined in BRd 1990 and QRRN 6301 - 6310 and is to enforce those regulations accordingly.

### 3406. Embarkation/Disembarkation Patrols and Escorts

1. **Authority.** Ratings or other ranks of the Royal Marines when employed on security/sentry or patrol duties, or as a Quartermaster in harbour, are authorised in the execution of those duties, to give lawful orders to other ratings, including those superior to them in accordance with QRRN 0334(1)(f). Furthermore, they may, in accordance with the guidance detailed in Section 67 of the Armed Forces Act 2006, arrest any person subject to Service Law, who they reasonably believe of committing or having committed a Service offence.

2. **Composition of Patrols.** Patrols and escorts, consisting of personnel other than RNP, are to be below the rating of Petty Officer. One member of the patrol or escort party should be the rank of LH.

3. **Armlets.** Patrol armlets are to be worn on the left cuff by ratings employed on security or patrol duties or as quartermaster whilst on duty.

### 3407. Ships Visits and Rounds

1. **General.** An important part of the RNP duties is the prevention of irregularities on board. The RNP staff are to visit various parts of the ship to see that due order prevails and that standing orders and routines are being complied with. They are also to ensure that similar visits are conducted by their staff when other duties permit.

2. **Clear Lower Deck.** When the order is given to clear lower deck, the RNP staff are to ensure that it is obeyed and that no one remains below unless authorised. When the decks are clear, they are to report the fact to the Executive Officer.

3. **Rounds.** RNP staff are to accompany the Executive Officer, or the Officer conducting evening rounds at sea; in harbour this duty will be transferred to any other nominated Senior Rate.

### 3408. Control of Personnel Effects.

1. **Effects of Absentees / Missing Persons.** RNP staff are to securely retain any personnel effects belonging to missing persons / absentees and deserters and effect delivery of those items to the RNP Missing Persons Unit at the earliest opportunity.

2. **Effects of the Deceased.** RNP staff may be required to assist in the collection and delivery of personal effects that belonged to deceased personnel to the Logistics Officer/Imprest Holder, who will maintain a detailed inventory and diary of events in accordance with Part 1, Volume 2, Chapter 11, Section 5 of JSP 751. Chapter 11, Section 5 also provides detailed instructions on the management, retention and release of personal effects and other items in the possession of the deceased and must be adhered to.

Annex A to Chapter 11, JSP 751 provides further detailed instructions on the retention and release / return of property subject to Service Police investigation. It is important to note that any disposal of property must be authorised by the Joint Casualty and Compassionate Centre (JCCC) and the reasons for the disposal fully recorded in the diary of events.

### **3409. Duty Senior Rating**

1. The SRNP is to brief the Duty Senior Rating of their responsibilities in the event of an incident of a disciplinary or criminal nature as part of their duty training programme. The SRNP is to notify them of all ratings under punishment and the routines to be carried out by those ratings.

### **3410. Duty Rosters**

1. The CPO (MAA) and PO (Police) are to be excluded from wholship Duty Rosters; due to their position as the Senior RNP. They are however to be included in the duty RNP roster (24/7 ashore and afloat) when away from UK base ports (Portsmouth, Plymouth and Faslane).

2. The LH (Police) may be an SCC watch keeper on a DD and FF only in UK base ports, (Portsmouth, Plymouth and Faslane) but is to be relieved of duties from the SCC when there is a requirement to undertake statutory police duties or investigations. Where there is no SRNP on board the LH (Police) should be exempt from watch keeping duties.

3. When deployed away from UK base ports, the LH (Police) will not be involved in the SCC roster but will instead support the duty RNP roster (24/7 ashore and afloat).

### **3411. RNP and Service Police Investigations**

1. All investigations undertaken by the RNP, or other Service Police unit, regardless of their nature and of who initiated the investigation, are conducted independently of the Chain of Command. PM(N) is responsible for RNP investigations and for ensuring that they are free from interference in accordance with Section 115A of AFA 06.

2. An investigation by the RNP, or other Service Police unit, must not be obstructed or otherwise hindered, or influenced in any manner. The Chain of Command has a clear duty to assist the investigation and to facilitate inquiries. Obstructing or failing to assist a member of the RNP or Service Police may be an offence, as it may cause interference with an investigation. Compelling reasons are required before assistance may be refused, and assistance should not be refused without seeking legal advice. None of these provisions places any legal obligation on an individual to provide a statement.

3. The SRNP is to ensure that all RNP investigations are conducted expeditiously and in accordance with current legislation, PM(N) Technical Instructions and Policy Notes.

4. All Service Police Case Referrals made under the Armed Forces Act 2006 are to be referred to either the Director of Service Prosecutions (DSP) or the Commanding Officer in accordance with current legislation, PM(N) Technical Instructions and Policy Notes.

5. All documentation pertaining to RNP investigations is to be held on board for a mandatory period of three years, following which it is to be archived in accordance with PM(N) Technical Instructions.

## **3412. Security Management**

1. The SRNP when carrying out the duties of Assistant Unit Security officer (AUSO), is responsible to the Unit Security Officer (USO) for all aspects of their security duties and should complete the AUSO Sea Course prior to assuming this role. Thereafter, their responsibilities, under the supervision of the USO, may include:

- a. Assisting in the coordination of all aspects of security within the unit and advising on security matters as required.
- b. Assisting in the assessment of threats to the unit and the planning and implementation of security counter measures.
- c. Assisting in the preparation, maintenance and promulgation of Unit Security Standing Orders and ensuring that they are understood.
- d. To investigate and record all breaches of security, however minor, and recommend remedial actions to the USO, unless the breach warrants a full RNP investigation and investigative independence is exercised.
- e. Consulting with the Command, Area or Base Security Officer as required.
- f. Organising security training within the unit and maintaining a nominal list of personnel attending that training.
- g. Briefing and debriefing personnel visiting countries with special security risks.
- h. Implementing and supervising monthly Security Spot Checks.
- i. Maintaining a security Log in accordance with current procedures.

## **3413. Books and Records to be Kept**

1. The SRNP is responsible for maintaining the following records:

REDCAP/IMS database  
Exhibits Log  
RNP Investigations Register  
DNA Register  
Fingerprint Register  
Search Register  
Gangway Wine and Spirit Book  
Security Log  
Record of Temporary ID Cards issued or lost  
Lost and Found Property Log (MOD Form 288)  
Daily Occurrence Book  
COPPERS database  
Ashore on Duty Log (Held for three months after completion)  
Visitors Log (Held for three months after completion)  
Detention Register  
Escort Orders  
Shore Embarkation Patrol Orders

## CHAPTER 35

### DUTIES AND PRIVILEGES OF WARRANT OFFICERS, CHIEF PETTY OFFICERS, PETTY OFFICERS AND LEADING HANDS

(MOD Sponsor: Warrant Officer to the Royal Navy)

This chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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## CHAPTER 35

### DUTIES AND PRIVILEGES OF WARRANT OFFICERS, CHIEF PETTY OFFICERS, PETTY OFFICERS AND LEADING HANDS

#### 3501. Warrant Officers, Chief Petty Officers and Petty Officers of all Branches

1. **Discipline.** The discipline, efficiency and morale of the Service depend in great measure on the manner in which Warrant Officers, Chief Petty Officers and Petty Officers carry out their duties and maintain their position.
2. **Duties.** Commissioned officers look to them for loyal support, advice and guidance; personnel will look to them for leadership, management, direction and assistance. They must feel empowered by their experience to act as a mentor for anyone, irrespective of rank or rate.
3. They must have personality and tact as well as professional competence and must be ready to accept their responsibilities. They should set an example of good discipline by obeying the orders of commissioned officers with the zeal, alacrity and cheerfulness they expect from disciplined and trained personnel.
4. It is the duty of every Warrant Officer, Chief Petty Officer and Petty Officer of every branch of the Service to ensure that order and regularity are preserved in their vicinity among those personnel, of whatever branch and whether on duty or not, who hold a rate junior to them. See **Para 3602** - Maintenance of good order, and **Para 3421** – Service Police Duties.
5. Warrant Officers, Chief Petty Officers and Petty Officers are to lead by example and are responsible for promoting and maintaining the Royal Navy ethos, core values and standards<sup>1</sup>, at all times. Additionally they are accountable to their Divisional and Departmental Officers for the Maintenance of their respective Divisions, discipline, training and welfare of the personnel in their charge. They should also promote sport, adventurous training and other forms of recreation, which contribute towards the well-being of their people and the Moral Component of Operational Capability (MC of OC).

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<sup>1</sup> BRd3 Chapter 21, Annex 21H.

6. **Function of Warrant Officers.** WO1 is the highest rank within the non-commissioned structure of the RN. The RM adopted the WO1 and WO2 status when the ranks of Regimental Sergeant Major and Quartermaster Sergeant were replaced by WO1 and WO2 respectively on 1 July 72. Warrants are issued at the time of an individual's substantive promotion. Due ceremony is to be given to the presentation of the Warrant Parchment to those newly promoted Warrant Officers. The formality of an awarding ceremony will help to both recognise the achievement and emphasise the value and regard that Warrant Officers are held in. For formal and documentary use, a Warrant Officer's specialisation should be identified by adding the appropriate specialisation abbreviation as a suffix in brackets.

7. **Status and Privileges.** Warrant Officers, Chief Petty Officers and Petty Officers are to be granted every reasonable privilege. They are to be made to feel that confidence is placed in them and are to be treated with consideration due to the position of trust which they hold. To this end, the following rules are to be observed:

a. **Warrant Officers<sup>2</sup>:**

(1) They are the senior rank of the non-commissioned cadre of the Royal Navy and are to be addressed as 'Mr', 'Miss', 'Ms' or 'Mrs' by commissioned officers and 'Sir' or 'Ma'am' by those of a junior rank. When in uniform, Warrant Officers should address themselves as 'Mr, Mrs, Ms or Miss (name)' and as Warrant Officer (name) when in plain clothes. Warrant Officers retain the right to be called Warrant Officer (name) when in uniform, rather than a gender specific pronoun or title; however, they must make commissioned officers aware of this preference. When introduced to others, it should be as 'Warrant Officer (name)'. Warrant Officers are to pay normal marks of respect to commissioned officers and they are not to be saluted.

(2) They should be granted the enhanced privileges that befit their rank. If separate messing is not available, they are to be accommodated and victualled with Senior Rates.

(3) Where the Senior Service Police Rating is a Chief Petty Officer or Petty Officer and there are Warrant Officers of other specialisations in a ship's company, they will exercise special command over Warrant Officers only when performing their Service Police duties.

(4) Warrant Officers are assigned on a personal basis in order that their individual employment can be planned to the best advantage of the Service and themselves.

(5) It should be noted that in no circumstances will the acting rank of Warrant Officer be granted on a local acting basis.

(6) Promotion to WO1 is open to individuals in all RN branches.

(7) Warrant Officers are entitled to use the acronym RN or RM after their name for formal correspondence.

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<sup>2</sup> The Term Warrant Officers will include both Warrant Officer First Class (WO1) and Warrant Officer Second Class (WO2).



(8) Warrant Officers are to fall in separately from other ranks.

(9) All Warrant Officers are to complete the Warrant Officer's Staff Course (WOSC) as soon as possible on being selected for promotion. WO1s are eligible to compete for higher level Staff Courses, e.g. ICSC(M).

b. **Senior Rates.** The prefix 'Chief Petty Officer' or 'Petty Officer', is to be used by all personnel when addressing them or speaking of them.

(1) Chief Petty Officers and Petty Officers are to fall in separately from Junior Rates/Ranks.

(2) They are not to be mustered in and out of the ship save with special reason.

(3) They are exempt from kit muster.

(4) They may act as Divisional Officers in the circumstances outlined in Chapter 18 QRRN.

See also **Para 8142, Para 8143, Para J.4202-3** and JSP 830, *Manual of Service Law*.



### 3502. Leading Hands

1. Leading Hands of each branch and arm of the Service are an integral link in the command chain. As the first level of leadership within the Service, they are to be afforded both roles and status commensurate with this responsibility.

2. **Duties.**

a. It is the duty of every Leading Hands of every branch of the Service to ensure that order and regularity are preserved in their vicinity among those ratings of whatever branch, whether on duty or not, who hold a rate junior to them. See **Para 3602**—Maintenance of good order.

b. They are expected to lead by example and are responsible for promoting and maintaining the highest of standards and adhering to Royal Navy ethos and core values at all times. Additionally, they are accountable to their Divisional Senior Ratings and Officers for the discipline, development, training and welfare of the able ratings in their charge. They are to be encouraged and expected to play an active role in the Divisional System. They should also utilise PDev and other forms of recreation, which contribute towards the well being of their subordinates and the moral component of OC.

3. **Privileges.** Leading Hands are to be granted every reasonable privilege to reflect both the particular complexity of exercising authority at their rate and the trust that is placed in them. Although not exclusive, the following rules are to be observed:

a. The prefix 'Leading Hand' is to be used by all personnel when addressing them or speaking of them.

b. They are to fall in separately from their subordinates, except on ceremonial occasions, when they may be included in the ranks.

c. They are to be placed in charge of formed bodies of Service personnel and working parties when ever practicable.

d. They are exempt from routine kit musters but are to muster their own kit periodically.

e. Where practicable ashore, they should have the opportunity to use a separate recreational space which may include bar facilities. Such facilities are to conform with **Para 8148.3** and PAYD regulations (see also **Para 8149**).

4. Leading Hands are key members of the command chain, consequently they are to be afforded a level of personal development that allows a smooth transition to further promotion. Empowerment is to be encouraged, in particular, their command, leadership and management skills are to be nurtured through their full participation in the Divisional Organisation in preparation for the Senior Ratings Leadership Course.

## CHAPTER 36

### DISCIPLINE AND CONDUCT - GENERAL

(MOD Sponsor: NAVY LEGAL-DISCIPLINE LAW SO1)

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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## CHAPTER 36

## DISCIPLINE AND CONDUCT - GENERAL

**3601. Articles of War**

1. With the repeal of the Naval Discipline Act (NDA) 1957 on 31 October 2009, the Articles of War are no longer extant. The principles of the Articles of War – that Service offences will result in Service punishments – are contained within the provisions of the Armed Forces Act 2006 (AFA 06).

**3602. Maintenance of Good Order**

1. Every Commanding Officer is to ensure that the behaviour of personnel serving in the ship or establishment is always maintained in accordance with the highest standards of the Service. It is the duty of every Officer, Warrant Officer, Chief Petty Officer, Petty Officer and Leading Rating of each branch of the Service (including equivalent ranks in the RMs) to ensure that order and regularity are preserved in their vicinity among those officers and Service personnel, of whatever branch and whether they are on duty or not, who are junior to them in rank or rate; they may give any orders to such persons junior to them as are necessary to enable him/her to carry out this duty.

2. **Conduct to be Observed.** All Officers and Service personnel are to conduct themselves with the utmost respect to their superior officers and with strict obedience to their orders. They are at all times to discharge every part of their duty eagerly and promptly and, so far as circumstances permit, to assist all Officers in the duties they have to perform. They should on all occasions strive to promote the welfare of the Naval Service and, by the good order and regularity of their conduct, show an example to those who may be subject to their command.

3. Commanding Officers may prohibit activities by military personnel that adversely affect good order and discipline. Such activities include any that may bring the Service into disrepute or cause offence to the public, local civilians or other Service personnel, or are otherwise inconsistent with the standards and good reputation of the Service.

4. All Officers and Service personnel must not behave in a depraved or disorderly manner, or quarrel with others. They must not use abusive language towards subordinates, and must take reasonable steps to prevent other Service personnel from behaving in an offensive or unruly manner. In their personal relationships, Service personnel must comply with the Armed Forces Code of Social Conduct. All Service personnel must show respect for others and, in particular, it is forbidden to insult any religion or to harass anyone based upon their gender, race or ethnic or national origin, disability, religion or belief, or sexual orientation.

**3603. Criminal and Disciplinary Investigations**

1. In accordance with AFA 06, if an allegation or circumstances would indicate to a reasonable person that a Service offence has or may have been committed by a Service person, the matter must be investigated either by the Service Police or by, or on behalf of, the Commanding Officer of the Service person.

The Competent Authority for criminal and disciplinary investigations in the Naval Service is the Provost Marshal (Navy) (PM(N)) who is responsible to the Navy Board for the conduct and direction of all such investigations.

2. Regional Police Commanders (RPCs) at Devonport, Portsmouth and Clyde Naval Bases are accountable to PM(N) for their investigative output and for monitoring all Royal Navy Police (RNP) investigations conducted in base-ported HM Ships (whether UK based or deployed) and shore establishments within their geographical Area of Responsibility (AoR).

3. Investigations by the RNP into allegations of disciplinary offences can be initiated when:

- a. requested by a Commanding Officer, or
- b. requested by a Higher Authority, or
- c. when the RNP receive a complaint or information about an offence, or
- d. when the RNP witness an offence about to be or being committed.

4. RNP serving in HM Ships and shore establishments conducting disciplinary or criminal investigations are to produce reports in accordance with PM(N) Technical Instruction 02. The purpose of an investigation is to gather all relevant evidence and forward the results to the Commanding Officer or the Director of Service Prosecutions for subsequent action.

5. The term RNP includes the Royal Marines Police Troop.

#### **J.3604. Independence of Service Police Investigations**

1. All investigations undertaken by Service police, regardless of their nature and of who initiated the investigation, are conducted independently of the chain of command. The Provost Marshal of the Service police force in question is responsible for investigations and for ensuring that Service police investigations are free from interference. Interference includes any attempt by anyone who is not a member of the Service police to direct an investigation being carried out by the Service police. Service police must not be obstructed or otherwise hindered, or influenced in any manner, in the conduct of investigations. The chain of command has a clear duty to assist the Service police and to facilitate their inquiries. Obstructing or failing to assist a member of the Service police may be an offence, as may interference with an investigation. Compelling reasons are required before assistance may be refused, and assistance should not be refused without seeking legal advice. None of these provisions places any legal obligation on an individual to provide a statement.

#### **3605. Remarks or Criticisms on Superiors**

1. Except as specifically permitted in Chapter 42, no Officer or Rating is to criticise a superior officer, whether verbally or in writing, including by means of social media. Further, no Service person is to say or do anything which, if heard or seen by or reported to a subordinate, might discourage the subordinate or make them dissatisfied with their condition or with the service on which they are or may be employed.

### 3606. Conflicting Orders

1. If an Officer should receive an order from a superior which they consider to be at variance with their obedience to any article in these Regulations or with any particular order that may have been issued by the Defence Council, Admiralty Board, or other superior Officer, they are to represent the matter orally, or in writing if there is no urgency, to the Officer who gave them the order. If they are then directed again to obey the order, they are to do so unless they consider that they are being directed to act in an illegal manner. If they consider it necessary, they may report the circumstances to the Fleet Commander or to the Admiralty Board.

### 3607. Extremist Organisations

1. It is inconsistent with the responsibilities of military service for personnel to hold membership of, to receive literature from, to present at an event connected with, or otherwise to participate in the affairs or activities of extremist groups whose aims and objectives conflict with the policies of the Naval Service. Service personnel may not, therefore, undertake any of the above.

### 3608. Unnecessary Expenses, Fraud, etc

1. Every Officer is strictly enjoined to avoid all unnecessary public expense and, so far as may depend upon them, to prevent it in others. See JSP 754 Tri-Service Regulations for Pay and JSP 462 Financial Management and Charging Policy Manual.

2. Every Officer is to report any neglect, collusion or fraud which they may discover or know of in any contractor, agent or person concerned in supplying stores or provisions to any entity of the MOD, or in executing any naval works either ashore or afloat.

### J.3609. Gifts

1. Service personnel, when acting in an official capacity, should not be placed in a position where their actions might give the impression to anyone, inside or outside the Service, that they may have been or might be influenced to show favour or disfavour to any person or organisation by the receiving of any gift, reward, hospitality, loan or other consideration. Personnel should have regard not only to whether they feel themselves to have been influenced, but also to the impression that their actions will create on others.

2. The rules relating to the acceptance of gifts and hospitality by Crown Servants, which all Service personnel must comply with, are set out in JSP 462 Financial Management and Charging Policy Manual.

3. **Gifts to HM Ships.** (*Navy only.*) Save in circumstances of salvage (for which see **4648.1**), sums of money and gifts in kind offered to Her Majesty's Ships for general welfare purposes are not to be regarded as subject to the above mentioned provisions. Gifts may be accepted provided that they are administered by the Ship's Welfare Committee and that monetary gifts do not exceed £20 per head per annum.

Ships receiving offers in excess of this scale, or those which do not have a Ship's Fund of their own, should refer the matter to their administrative authority who may approve the gift subject to such limitations of amount and conditions of expenditure as they deem appropriate. There is no restriction on the expenditure of such gifts beyond what may be specified by the donors.

### **J.3610. Payments from Government Sources**

1. It is a well-established rule that when a Crown servant, particularly with the help of official information or official experience or in official time, produces or does something which though not part of their official duties is of value to the Government, they shall not receive the full price which would be paid to a person outside the public service for the same activity. This rule has been modified to the extent that payments to Crown servants over and above normal salary for activities outside the scope of their duties and involving no use of official time, are calculated on the same basis as payments to persons outside the public service for the same activity.

2. (Navy only.) Claims are to be proffered immediately after the work is performed and, where payment is to be from naval funds, supported by a certificate in the following terms:

*'With reference to QRRN, Article J.3610, I certify that the extra remuneration claimed or paid to me from Government sources during the current calendar year does not exceed the amount which would have been paid to a person outside the public service for the same activity.'*

This certificate is to accompany the authority when referred to the Directorate of Financial Accounting Services (DFAS).

### **J.3611. Gifting, Purchase and Sale of Government Materiel by Crown Servants**



**Note:** This regulation does not apply to HMSO publications on sale to the general public.

1. Service personnel must comply with the rules relating to:
  - a. the gifting of surplus MOD assets to external organisations as set out in JSP 462 Financial Management and Charging Policy Manual; and
  - b. the purchase and sale of government materiel as set out in the Defence Logistics Framework, which is available via the [Defence Gateway](#).

### **J.3612. Unallocated**

### **3613. Recovery of Losses and Write Off**

1. Whenever misconduct or negligence leads to a loss of public stores, equipment or money, any Service person may be liable to have deductions made from their pay in certain specified circumstances in consequence of the provisions of The Armed Forces (Forfeitures and Deductions) Regulations 2009 and JSP 830 Manual of Service Law. Further guidance and policy on implementing, effecting and enforcing forfeitures and deductions is also contained in JSP 754 Tri-Service Regulations for Pay.

### J.3614. Found Property

1. Any article found in a ship, unit or establishment which the finder is unable to return directly to the owner is to be handed over to the Service Police or Coxswain (Navy only). Any claimant to the property will be required to supply evidence of ownership and may be called upon to defray any identifiable costs incurred.
2. Property, not being public property, which is unclaimed after being held for three months is to be disposed of, if necessary by sale, at the discretion of the Commanding Officer. Property, not being public property should be disposed of within six months (Navy only).
3. Where the property is money or is sold for cash, the amount may be paid to a local charity or benevolent fund. Alternatively it may be paid to the Ship's Welfare Fund. A portion of the money may also be paid as a reward to the finder. This may be up to 50% of the proceeds of the sale, or a maximum of £20 in value, whichever is the lower amount.
4. (*Navy only.*) Specific directions are to be given in Ship's orders for the disposal of all lost and found articles which are not the property of the finder. A person found to be in wrongful possession of the property of another in circumstances which do not meet the technical requirements for a charge under the Theft Act 1968, may then, if the facts warrant it, be charged with contravening Ship's Standing Orders under section 13 of AFA 06, in not handing over to the proper authority the articles which to their knowledge had come into their possession without the consent of the owners.

### 3615. Private Debts of Naval Personnel

1. **MOD Responsibilities.** The Ministry of Defence accepts no responsibility for the payment of private debts incurred by Naval personnel: neither does it intervene in such matters, except in extreme cases where the good name of the Naval Service is involved. In such cases the individual concerned is to be interviewed by their Commanding Officer and told to state their intentions regarding settlement of the debt.
2. **Disclosure of Information.** The normal practice of not disclosing to private enquirers the Service or home address of any member of the Naval Service without their consent applies to commercial firms, trades persons and other creditors: a Service address may, however, be given to a solicitor acting for a creditor to enable legal process to be served in connection with a debt on receipt of an assurance that the address will be used solely for that purpose, will not be passed to a client or other party and will omit any reference to the individual's rank and decorations from the envelope or other outer cover of the mailed package. It rests with firms, trades persons etc., to obtain appropriate personal details before extending credit: security implications may, however, preclude Service details being given. If a trader loses contact with a person they believe is still a serving member of the Royal Navy, they may approach the Commanding Officer of his/her last unit. On receipt of any such approach, Commanding Officers are to use their discretion, having regard to the lapse of time and the individual's whereabouts, in determining whether the circumstances justify communicating with the person's present Commanding Officer; if they decide not to do so, the trader should be informed accordingly and may be advised to make a further approach, if necessary, at a stated later date.



### 3616. Debts and Financial Irresponsibility

1. **Financial Irresponsibility.** A Service person's debts are generally their own responsibility and the Service should not normally interfere with them. However, financial problems may, through worry and other pressures, reduce their efficiency. Moreover if the individual displays financial irresponsibility, particularly if it involves dishonesty, it may affect their suitability for promotion or advancement, for handling classified material, for certain appointments or drafts and even their retention in the Service; they may become an administrative burden or bring the Service into disrepute. In all cases the main factor is not the debts but the attitude to them and handling of them.

2. **Responsibilities of Commanding Officers and Divisional Officers.** Commanding Officers are to ensure that all under their command understand the adverse consequences of financial irresponsibility and are encouraged to report serious financial problems to the appropriate authorities before they get out of control or raise security issues. Superiors are not required to become financial managers for their subordinates nor agents for collecting debts incurred outside the Service. However, Commanding Officers must ensure that those with financial problems are guided towards specialised advice within or outside the Service.

3. **FHTB.** When considering applications for Forces Help to Buy (FHTB) in accordance with JSP 464 Volume 1 Part 1 Chapter 12, Commanding Officers must consider an individual to be suitable in all respects to receive a FHTB advance.

4. **Promotion and Advancement.** When there is evidence of financial irresponsibility, suitability for promotion or advancement must be carefully considered by Commanding Officers. If the individual's attitude to their debts reflects a character shortcoming which might make promotion or advancement inappropriate this should be reflected in their OJAR/SJAR. If an individual has been selected for but not yet promoted and a character shortcoming is revealed by financial problems, a Special OJAR/SJAR is to be raised and forwarded to the Promotions Office, containing a recommendation as to whether or not the individual's promotion should be deferred or stopped. Once a Rating has been selected for promotion or advancement this may only be withheld, on grounds of financial irresponsibility, with the approval of the administrative authority. Further guidance is available in BRd 3(1).

5. **Security.** In cases of serious financial difficulty that may raise security concerns, an Aftercare Incident Report should be raised in accordance with the procedures detailed in JSP 440 Part 2 Leaflet 7.

6. **Suitability for Local Foreign Service (LFS).** All Officers and Ratings are screened prior to selection for LFS, loan service or exchange service in accordance with Defence and single Service procedures. Commanding Officers are required to consider the financial situation of any Service person nominated before making a related recommendation. If a Service person already serving in an LFS billet shows signs of serious financial irresponsibility such that fitness to remain in that billet is in doubt for security reasons, Navy Command's Principal Security Adviser is to be informed. Where irresponsibility is such that the Service person's premature return to the UK is sought, application is to be made to the appropriate Administrative Authority for approval, keeping the relevant Career Manager informed.



## **BRd 2**

7. **Warnings.** If an individual's financial circumstances and/or their attitude towards them indicate that a Service person may no longer be fit to retain their rank/rate or to remain in the Service, they must be warned about the consequences of financial irresponsibility in accordance with the procedures detailed in BRd 3(1) Chapter 57. They must also be told that security considerations may result in discharge before the elapse of any warning period they are given to redeem themselves.

8. **Continued Action.** If, after counselling and formal warning for discharge, an individual fails to handle their financial difficulties sensibly, the Service obligation to assist them is to be regarded as lapsed; further involvement is to be limited to essentials required by **3615** and acknowledging letters from creditors.

9. **Discharge.** When considering discharge, it is not the existence of debts that is critical but the manner in which they were incurred, the attitude to them and the handling of them. If the Commanding Officer of any individual considers that, as a result of financial irresponsibility, the individual is unfit to conduct the duties and responsibilities required of them, or the Service is being brought into continuing disrepute, or the administrative effort that has to be expended on the individual's affairs is disproportionate to their value to the Service, then there are grounds for application for discharge. In the case of Ratings, recommendations for discharge should normally be for SHORE (Financial Irresponsibility) (See BRd 3(1) Chapter 54 Section 7). In the case of Officers, recommendations for discharge should normally be for Discharge Unsuitability Due to Causes within an Officer's Control (See BRd 3(1) Chapter 54 Section 6). An officer who is recommended for discharge due to unsuitability will normally have been placed under quarterly reporting. Applications for discharge are to state any warnings or quarterly reports given, and the Service person is to be invited to make a representation. Lack of warning or quarterly reports need not preclude discharge in serious cases.

### **J.3617. Bankruptcy**

1. An individual who has a Receiving Order in bankruptcy made against them or files a petition for bankruptcy, or who is unable to meet their financial commitments, is to report the facts immediately to their Commanding Officer. The Commanding Officer is then to consider what further administrative action may be required, seeking advice from their Regional Legal Office as necessary. If an individual is declared bankrupt, their case is to be monitored by their Commanding Officer to determine whether or not their conduct in seeking to discharge their bankruptcy casts doubt upon their suitability to retain their rank/rate or to remain in the Service.

### **J.3618. Moneylending**

1. Personnel are forbidden to engage in moneylending to Service personnel or to borrow money from their subordinates.

### **J.3619. Gambling**

1. Except as provided in paragraphs 3 and 4 below, all forms of gambling and bookmaking (or acting as an agent for a bookmaker) are forbidden in ships, establishments or units. The purpose of prohibiting gambling among Service personnel is to prevent the disharmony or erosion in discipline that may occur where one Service person is in debt to another Service person, or where one Service person makes a financial gain at the expense of another Service person. In particular, where one Service person is financially indebted to

another Service person this may lead to ill-feeling, conflict or the distortion of Command relationships.

2. The advent of on-line gambling provides Service personnel with the opportunity to gamble by electronic means. While onboard a warship, submarine or Service establishment, Royal Naval personnel are prohibited from gambling on-line or by other electronic means with other Service personnel who are assigned to their unit or form part of their chain of Command.

3. UK legislation prevents organisations or individuals from offering or running gambling facilities unless they are licensed by the Gambling Commission. Merely by providing Wi-Fi services, and thereby enabling Service personnel to gamble on-line, ships or establishments do not breach this legislation. So long as Service personnel do not contravene paragraph 2 above, Service personnel may access on-line gambling facilities using Wi-Fi facilities provide by the Service. However, routine divisional briefings should highlight to individuals the risks of engaging in gambling.

4. Any proposal to hold a lottery or sweepstake or to permit any other form of gambling is to be referred to the Commanding Officer. If he/she agrees to the proposal he/she is to issue such instructions as he/she considers necessary to ensure that the provisions of the Gambling Act 2005 are complied with. Outside Great Britain he/she is also to satisfy himself that there is no infringement of local law.

#### **3620. Trading Onboard or Acting as a Commercial Agent**

1. The Commanding Officer may grant permission for trades persons to board Her Majesty's Ships or enter naval establishments for the purpose of selling their goods or obtaining orders, but such permission should be granted only where necessary to prevent real inconvenience to the Ship's Company. The Commanding Officer has discretion to exclude any or all trades persons without informing them of his/her reasons. Permission should normally be granted, however, to firms holding current Ministry of Defence contracts for the supply of made-to-measure uniforms for the purpose of taking measurements, making fittings, etc. in accordance with the contract requirements.

2. It is against the best interests of the Ship's Company, particularly young Ratings, that they should be granted extensive credit facilities, and such inducements would be good grounds for withholding permission to trade on board from trades persons concerned.

3. Trades persons may not be given passage in Her Majesty's Ships.

4. No Officer or Service person is to act as agent in ships or establishments for any private commercial or insurance undertaking.

## BRd 2

5. Other than as authorized in Chapter 80, alcoholic beverages are not to be brought on board any of Her Majesty's Ships or into naval establishments. The trading in, or manufacture of, alcoholic beverages is also prohibited unless the written sanction of the Commanding Officer has been obtained.

6. No trading is to take place without the written sanction of the Commanding Officer.

### 3621-3622. Unallocated

#### 3623. Vehicles Owned by Crown Servants and Crown Servants Driving Vehicles in Naval Establishments

1. While driving a motor vehicle, including a motor cycle, or using a bicycle within a naval establishment or on entering or leaving it, all Crown servants must comply with the rules and regulations which would normally operate for the particular type of motor vehicle or bicycle and for its driver, rider or passenger(s) if used on the public roads outside the establishment, unless specifically authorised to the contrary.

#### 3624. Alcohol Misuse

1. **General.** In accordance with section 20 of the Armed Forces Act 2006, a Service person must not, due to the influence of alcohol or drugs, be unfit to be entrusted with their duty or with any duty which they might reasonably expect to be called upon to perform, or behave in a disorderly manner or in a manner likely to bring discredit to Her Majesty's Forces. Under section 20A, it is also an offence for a Service person to exceed the relevant alcohol limit for prescribed safety-critical duties. Further details on the elements of these offences are contained in JSP 830 Manual of Service Law. The Royal Navy's alcohol policies are also outlined in JSP 835 and BRd 3(1). Alcohol must not be served to under 18s.

2. **Excessive Drinking.** Excessive drinking is always unacceptable because it adversely affects discipline, efficiency and the reputation of the Service. There are three overlapping categories:

a. The Service offence of misconduct through alcohol.

b. Drink-related offences.

c. Drinking which, though not related to an offence, may render Service personnel less efficient or reliable in the performance of their duties.

3. **Persistent Heavy Drinking.** As well as risking punishment for drink-related offences, the persistent heavy drinker is likely to become a real risk to the Service through inefficiency and unreliability. Such conduct is likely to affect their suitability for promotion or advancement and impose other limitations on their career. It may also lead to welfare problems constituting an unacceptable administrative burden on the Service. Persistent heavy drinking is very likely to result in discharge from the Service.

#### 4. **Special Responsibilities**

- a. The Second Sea-Lord is responsible for co-ordinating both the implementation of Admiralty Board policy on alcohol misuse and the development of that policy, in consultation with the Fleet Commander and other members of the Navy Executive Committee and Navy Board, and by liaison with the other Services.
- b. Responsibility for education of all Service personnel regarding alcohol and drugs rests with Head of Naval Personnel Strategy (Hd NPS) through the Navy Command Executive Team.
- c. The Royal Navy Consultant Adviser in Psychiatry (located at the Department of Community Health in Portsmouth Naval Base) is responsible (through the Alcohol Nurse Specialists at all major Naval establishments) for the provision of the Briefing Advisory Tool (BAT) for those personnel who are referred with identified alcohol problems. These Specialists will liaise with the unit level Executive on a regular basis regarding education of personnel in management positions. This will include the offer of, on request of the Executive, training sessions for Divisional Officers and awareness briefs for more senior personnel.
- d. Responsibility for substance misuse education in the Royal Navy is delegated to the NPS EXEC team (NCXT) and conducted by the Fleet Executive Officer (FXO) and Compulsory Drug Team (CDT) Educators (substance and misuse advisors). The CDT process is overseen by FXO and administered by the CDTWO.

#### 5. **Responsibilities of Commanding Officers.** Commanding Officers are responsible for ensuring that:

- a. All under their command are aware of the risks of alcohol misuse and of the requirements of these regulations.
- b. There is proper control over drinking within their ships or establishments.
- c. There is adequate education within their ship or establishment on alcohol misuse, including biennial visits by the Alcohol Education Team, the use of films and publicity material, and attendance of personnel, where appropriate, on the Alcohol Education Courses.
- d. Discipline is maintained and that those found proven of misconduct through alcohol or drugs are punished appropriately.

#### 6. **Responsibilities of Officers, Non-Commissioned Officers, Senior Rates and Leading Hands.** It is the duty of all those in authority, whatever their rank/rate, to discourage inappropriate drinking and, by example and supervision, to foster a climate of opinion in which such drinking is regarded as unacceptable. Drunkenness and drink-related offences are to be dealt with firmly and excessive drinkers must be identified and reported as soon as possible to enable timely counselling and treatment. Divisional Officers are to be especially vigilant with regard to these matters; they are to ensure that alcohol education is a regular feature within their divisions and that counselling is readily available.

7. **New Entries**

- a. Careers staff are to warn all applicants of the Royal Navy's attitude to alcohol abuse.
- b. Commanding Officers of new entry establishments are to ensure that all new entries are educated about alcohol abuse and the Royal Navy's policy on the subject including the likely penalties for failure to control drinking.

8. **Drunkenness on Board.** All cases of drunkenness must be seen by the Officer of the Day or, in their absence, by the Duty Senior Rating. If possible they should also be seen by a medical officer or, in their absence, a medical branch rating, who is to enquire into the circumstances and examine the Service person.

The purpose of this medical examination is to exclude other possible causes of the individual's condition. Instructions for medical examination of drunken persons are contained in BRd 1991. It is the duty of all personnel to report suspected offences of misconduct through alcohol or drugs. This is particularly important where there are reasonable grounds to suspect that an individual who has been, or is about to be, entrusted with a safety-critical duty is under the influence of alcohol or drugs.

9. **Drunkenness on Shore.** An Officer or rating ashore who is too drunk to return on board without prejudice to good order may be taken to their ship or establishment by taxi or other conveyance; an advance of pay may be issued to cover the fare and subsequently recovered from the Service person's pay in accordance with JSP 754 Tri-Service Regulations for Pay.

10. **Procedures for Dealing with Excessive Drinkers.** Excessive drinkers must be identified before they reach the stage of dependence on alcohol. Commanding Officers shall ensure that such individuals are dealt with firmly and constructively and monitored until their conduct has returned to a satisfactory state. Action depends on the circumstances of each case, including how early the individual is identified, their attitude and the progression of the case. The following general measures are to be considered:

- a. **Counselling.** All cases of excessive drinking should receive Divisional counselling (including informal warning of the consequences of continued excessive drinking). They should then be directed to attend a Briefing Advisory (BAT), a first stage intervention strategy, which will be run regularly by the Alcohol Education Team. Bookings may be made through the Department of Community Mental Health in Portsmouth Naval Base, HMS DRAKE or HMS NEPTUNE.
- b. **Special Measures.** If an individual fails to respond to counselling, special measures appropriate to them, such as withdrawal of approval for a single individual to live in private accommodation and control of the individual's drinking within the ship or establishment, should be considered.
- c. **Formal Warning.** If an individual is approaching the state where they may become an unacceptable risk or an administrative burden they are to be warned formally that their conduct may lead to administrative discharge; this measure may be taken even without prior counselling if they have already become a problem drinker when first identified.

d. **Records.** Referrals to the basic alcohol education course or to the Department of Community Mental Health, failure to respond to counselling and any relevant warnings should be recorded in the individual's SJAR and personnel file. In cases of genuine self-referral without the commission of a disciplinary offence or decreased efficiency, recording is a matter for the Commanding Officer's discretion.

e. **Discharges.** If an individual fails to respond to these procedures, an application is to be made for administrative discharge; the application is to include a record of warnings given and referrals to the Department of Community Mental Health. For ratings, discharge SHORE will be the normal mode but SNLR should be considered if the rating is unruly or undisciplined. Only in exceptional circumstances, when there is a psychiatric or other illness, will consideration be given to invaliding.

11. **Security.** Where an individual is identified as having reached a stage at which their drinking reduces their reliability to such an extent that they may be deemed to be a security risk, the case is to be reported to PSyA using the Aftercare process.

### **3625. Drug Abuse**

1. Abuse of drugs, besides its harmful effects on the individual, constitutes a serious threat to efficiency, safety, discipline and security. Use of controlled drugs, or their possession, importation, production or supply to others, are serious disciplinary offences. It is also an offence for a Service person to have in their possession any substance which they believe, or have reasonable cause to suspect, to be a controlled drug. These offences are likely to result in a custodial sentence and dismissal from HM Service. Abuse of substances other than controlled drugs (e.g., solvents) falls within the general description of drug abuse and may lead to similar consequences.

2. It is the duty of all Officers, Senior Ratings, Leading Hands and NCOs to ensure that all under their command are aware of the risks of drug abuse and of the penalties. They are to emphasize the great dangers to operational efficiency and safety presented by drug abusers and are to do all within their power to foster a climate of opinion, at all levels, in which even the most casual experimenting with drugs is unacceptable.

3. The Second Sea Lord is the lead authority for formulating drug education policy and for developing and co-ordinating measures for combating drug abuse in the Naval Service, consulting the Fleet Commander and the other Services as necessary. The Second Sea Lord is responsible for the provision and administration of the Royal Naval Drugs Education Team, and enabling the Special Investigation Branch (SIB) to maintain skills in the investigation of drugs cases.

4. All Commanding Officers are to:

a. Ensure that all under their command are aware of the risks of drug abuse and of the need to report known or suspected cases.

b. Arrange adequate education with their ship or establishments, notably visits from the Drug Education Team, in accordance with command orders.

c. Ensure that any evidence, indication or suspicion of drug activity of any kind is brought to their attention without delay and reported to the Service Police.



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5. Commanding Officers of new entry establishments are to ensure that all new entries receive instruction on the dangers of drug abuse and on the Royal Navy's policy towards it.
6. Recruiting officers are to warn all applicants of the Royal Navy's attitude to drug abuse and are to inquire closely into their attitudes to drugs.

### **J.3626. Compulsory Drug Testing**

1. Tri-Service policy on drug testing is implemented by Joint and single Service Compulsory Drug Testing teams, who are authorised to supervise the taking of urine samples from Service personnel.

Samples are subsequently analysed by an independent laboratory for the presence of controlled drugs, and Commanding Officers notified of the results. Units, detachments or individuals, wherever they are in the world, are liable to testing, which may be with or without prior notification. The team supervising a test may comprise members drawn from any of the three Services.

2. If a unit or detachment is visited by a Compulsory Drug Testing Team or when a devolved compulsory drug test is authorised to be conducted in a unit or detachment, each Officer, Warrant Officer, Non-Commissioned Officer, rating, marine, private or airman is required to provide a urine sample when requested to do so by a drug testing officer. The following are authorised as drug testing officers:

- a. Any Officer, Warrant Officer, Senior Rating, Non-Commissioned Officer or leading rating appointed or drafted to have immediate authority over or to serve as a member of a Compulsory Drug Testing Team.
- b. Any Officer, Warrant Officer, Senior Rating, Non-Commissioned Officer or leading rating assisting in the supervision of tests on the authority of a drug testing officer authorised in accordance with a. above.

3. Failure to provide a sample of urine when requested to do so by a drug-testing officer is an offence under the Armed Forces Act 2006 (AFA 06). Substitution, adulteration or corruption of a sample may be construed as being a refusal to supply a specimen for analysis. Conviction of such an offence is likely to result in the punishment of dismissal from Her Majesty's Service, which may be accompanied by a sentence of detention for up to 2 years or imprisonment for no more than 51 weeks.

4. Personnel who provide a urine sample that tests positive for a controlled drug will be individually notified of the result. Subsequently, other than in exceptional circumstances, they may be subject to administrative discharge in accordance with single Service regulations. Moreover, if investigations reveal evidence of further offences, disciplinary action may also be taken, and this would normally take precedence over any administrative action.

### **J.3627. Police Elimination Database (PEDb) – Provision of Samples by Service Police and Support Staff**

1. Since 1 July 2008, members of the Royal Navy Police (RNP), upon completion of professional training and support staff employed in specialist or investigative roles, are required to provide a sample of their DNA and fingerprints for entry on the Police Elimination Database (PEDb). RNP personnel enlisted prior to that date may not be compelled to participate in the programme but can do so voluntarily and will be expected to provide DNA and fingerprints following their involvement in any scene or incident where elimination is a forensic requirement. Any RNP personnel who transfer to another trade group and then re-join the RNP will be subject to the mandatory requirements.

2. **Use of Samples.** DNA profiles and fingerprints are held for elimination purposes only. For DNA profiling a comparison will be made of a specific stain or mark against the profile of RNP personnel or support staff who attended a specific scene of crime, where unidentified crime scene marks have been found. There will be no general search made of the PEDb however, where unidentified fingerprints have been found at a scene of crime a general search will be made of the PEDb.

3. **Destruction of Samples.** Where RNP personnel are discharged from Service or transferred to another trade group or support staff cease employment with the RNP or other Service Police organisation, their DNA profile and fingerprints will be destroyed and removed from all databases. A certificate confirming this will be provided upon request to the Service Police Crime Bureau, MOD Southwick Park, Fareham, Hampshire, PO17 6EJ.

4. **Consequences of Non-Compliance.** Any member of the RNP subject to the mandatory sampling programme who fails to comply with the terms of this policy may be liable to compulsory transfer to another trade group. Similarly, the continued employment of support staff who refuse to comply with the terms of this policy when required to do so will be subject to review.

### **J.3628. Private Firearms**

1. **Compliance with the Firearms Act 1968.** Members of the Armed Forces, while serving, are exempt from the requirements of the Firearms Act 1968 as amended by the Firearms (Amendment) Act 1997 only in respect of firearms or ammunition held by them in their capacity as members of the Forces. Personnel are to take care to comply with the provisions of that Act in respect of any privately-owned firearm or ammunition in their possession (see Annex A to Chapter 36).

2. **Safe Custody.** Commanding Officers are personally responsible for keeping under lock and key, when not in use, any private firearms brought on board Her Majesty's ships or into a naval establishment. If a Service person hands in a private firearm for safe custody, they are responsible for reclaiming and collecting it before they leave the ship or establishment. A private firearm which is left unclaimed, is to be forwarded to the nearest armament supply depot (see paragraph 8).

3. **Carriage of Arms.** No person is to carry a private firearm of any description or to keep any private firearm, or ammunition, in their personal care on board Her Majesty's Ships or in a naval establishment.



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The Commanding Officer may, however, grant permission for any Service person to possess a private firearm for use in competitions or for other sporting purposes, but such weapons are to be kept in safe custody on board or in the establishment and are to be issued only temporarily and under proper safeguards. (See *also* Annex 36A, para 2 for Rifle Clubs.)

4. **Acquisition of Arms.** Service personnel are to be discouraged from acquiring or importing pistols or other private firearms, except for competition or sporting purposes. They are not required to hold private firearms for Service purposes and the certificate allowed by Annex 36A, para 1 should not be granted to a rating or other rank. RM ratings on leave are not permitted to carry pistols; if conditions ashore are so abnormal that firearms are necessary for protection, it is within the discretion of the senior officer to restrict or withhold leave or to take other steps necessary.

5. **Custody of Ammunition.** When private firearms are handed in for safe keeping under paragraphs 2 or 3 the ammunition for them is also to be handed in, and is to be issued only as required, at the Commanding Officer's discretion.

6. **Firearms Certificates.** If a private firearm is surrendered by any Service person, they are to be asked whether a valid firearm certificate is held and told that the weapon and ammunition, if falling within the types requiring a certificate under the Firearms Act 1968 as amended by the Firearms (Amendment) Act 1997 (see Annex 36A), cannot be returned to them in the United Kingdom, except on production of such a certificate; and that it may be subject to similar local civil regulations if landed or carried abroad. In addition, a firearm handed in abroad and reclaimed on return to the United Kingdom, will be subject to an import licence, and if this has not been issued, the Customs authorities are to be informed when they come on board.

7. **Non-return of Firearms.** A firearm not returned to a Service person when they leave the ship because they fail to produce a valid firearm certificate is to be forwarded to the nearest armament supply depot.

8. Private firearms which are not returned to the owner under paragraphs 2 or 7 are to be kept at the armament supply depot for three years and, if not properly claimed within that period, are then to be disposed of. The owner is to be informed of this regulation.

9. **Contravention of Firearms Regulations.** Contravention of any of the provisions of this Article is to be treated as a serious offence.

10. Attention is drawn to the following:

3004.8—Inspection of firearms brought on board.

JSP 862—Stowage of private ammunition on board.

BRd 3(1) Chapter 24—RN Casualty Procedures

11. Imitation firearms are not to be brought onboard HM Ships and establishments without the express, written permission of the Commanding Officer.

### **3629. Appeals Against and Reviews of Summary Findings and Punishment**

1. **Appeals Against Summary Findings and Punishment.** Where an accused person has been dealt with summarily under AFA 06 or the Naval Discipline Act 1957 and the charge has been proven, they may appeal to the Summary Appeal Court against finding or against the punishment awarded (or both) following the procedures set out in JSP 830 Manual of Service Law Volume 1 Chapter 15.
2. If the individual is not satisfied with the result of their appeal, they may question the judgment of the Summary Appeal Court by way of case stated for the opinion of the High Court in England and Wales. They do not have the right to complain through the chain of command. See JSP 830 Manual of Service Law.
3. **Reviews of Summary Findings and Punishment.** These provisions are made pursuant to section 152 of AFA 06 and govern the manner by which reviews of summary findings and punishments are to be conducted.
4. **Reviewing Authorities.** The Defence Council or any Officer authorized by the Defence Council may at any time review any case in which an offence has been found proven at a Summary Hearing under AFA 06. The Defence Council has authorized all barristers on the staff of Naval Legal Services of the rank of not lower than Cdr RN to undertake such reviews. Review is conducted via the Summary Hearing Review Cell in Navy Command Headquarters.
5. **Further Guidance.** For further detailed guidance on reviews of Summary Hearings see JSP 830 Manual of Service Law and BRd 3(1) Chapter 20 Section 15.

### **J3630. Unallocated**

### **3631. Unallocated**

### **3632. Courts-Martial and Summary Appeal Court**

1. The performance of duty as a member of a Court Martial or Summary Appeal Court shall not be considered or evaluated in the preparation of any personal report, assessment or other document used in whole or in part for the purpose of determining whether a member is qualified to be promoted, or is qualified or suited for particular appointments or training.

### **3633. Unallocated**

## J.ANNEX 36A

**FIREARMS ACT 1968 AS AMENDED BY THE FIREARMS (AMENDMENT) ACT 1997**  
**(See 3627)**

1. **Firearms and Ammunition for Private Use.** It is unlawful under the Firearms Act 1968 as amended by the Firearms (Amendment) Act 1997, for any person in Great Britain, including a member of the armed forces, unless he/she holds a valid firearm certificate or shot-gun certificate (obtainable from the police), to purchase, acquire or have in his/her possession *for private purposes* any firearm, ammunition or shot-gun other than certain air-guns, air rifles or air pistols and certain cartridges and ammunition. A person in naval, military or air service, if required to purchase a firearm or ammunition for his/her own use in his/her capacity as a member of such service, is entitled to a firearm certificate without fee. He/she must, however, satisfy the police that he/she is required to make the purchase and for this purpose he/she should produce a certificate from his/her commanding officer to that effect.
2. **Rifle Clubs.** The responsible officer of an approved rifle or miniature rifle club or cadet corps may obtain a firearm certificate without fee in respect of firearms and ammunition used solely for practice or drill. Members of such clubs do not need a certificate when engaged in drill or target practice.
3. **General.** The Firearms Act 1968 as amended by the Firearms (Amendment) Act 1997 applies in Great Britain; broadly similar provisions apply in Northern Ireland. The nearest chief officer of police should be consulted on any point of doubt affecting the requirements of the Act in respect of private firearms and ammunition. Similarly, overseas, private firearms and ammunition may be held only if authorized in accordance with the relevant regulations of the country in question.

**CHAPTER 37****JURISDICTION**

*(MOD Sponsor: NAVY LEGAL-DISCIPLINE LAW SO1)*

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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- J.3701. Jurisdiction General
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## **CHAPTER 37**

### **JURISDICTION**

#### **J.3701. Jurisdiction General**

1. Jurisdiction in respect of offences committed by persons subject to Service law may lie either with the Service authorities or with the civil authorities or with both the Service and civil authorities (concurrent jurisdiction). Before charges are brought it is necessary to consider carefully where jurisdiction lies.

2. Further information on jurisdiction is set out in Part 3, Chapter 3 of JSP 830, the Manual of Service Law.

#### **J.3702. Jurisdiction in the United Kingdom**

1. In the United Kingdom, in general jurisdiction lies:

- a. With the Service authorities if the offence is only against Service Discipline law;
- b. With both the Service authorities and the civil authorities if the offence is against the civilian criminal law (concurrent jurisdiction).

2. Where there is concurrent jurisdiction, the overriding principle is the requirement of fair and efficient justice. The Service Police, Ministry of Defence Police or Director of Service Prosecutions (DSP) will liaise with their civilian counterparts to resolve any overlapping jurisdictional issues and a final decision from the Service perspective will be taken by the DSP if required. Commanding Officers should seek staff legal advice should they have any concerns or questions about the exercise of this process. The main principles to be applied when considering the appropriate jurisdiction in which to investigate, charge and subsequently try a suspect who is subject to service law are as follows:

- a. Offences alleged only against persons subject to service law which affect the person or property of civilians should normally be dealt with by a civilian court and not in service proceedings;
- b. Offences alleged only against persons subject to service law which do not affect the person or property of civilians should normally be dealt with in Service proceedings and not by a civilian court; and
- c. Offences alleged jointly against persons subject to service law and civilians should normally be dealt with by a civilian court.

3. In order to satisfy the overriding principle of fair and efficient justice, other factors may also be taken into account which may affect the application of the principles set out in paragraph 2.

a. In England and Wales, these factors include:

- (1) Where there are linked cases (for example, where an offence is linked to a series of other similar offences which have been or are being dealt with in either a service or civilian context);
- (2) Practical matters, such as the availability of witnesses to participate in the proceedings, or where the person charged is about to be sent overseas (in which case it may be more efficient for the case to be dealt with in the service jurisdiction);
- (3) Where there is a strong service disciplinary context (for example, where an offence is more serious because of a service factor, or where the location of the offence or the fact that the accused was on duty at the time makes it important for the disciplinary aspects of the misconduct to be fully understood and taken into account). This is linked to the related power of service proceedings to have regard to the maintenance of discipline as one of the statutory purposes of sentencing – see section 237 of the 2006 Act;
- (4) The appropriateness of available sentencing powers (including powers in the 2006 Act of service detention (which involves retraining) and dismissal, and the fact that certain orders e.g. under the Road Traffic Acts and Proceeds of Crime Act 2002 are only available to civilian courts).

b. In Scotland and Northern Ireland, these factors include:

- (1) If the offence is committed by a member of the forces who is about to be sent overseas, the local police will normally hand the person over to the Service authorities unless it is a serious offence or the circumstances are otherwise exceptional;
- (2) If a suspect has a civilian accomplice, proceedings against both will normally be taken by the civil authorities;
- (3) If a suspect is already the subject of a deferred or suspended sentence, a community order, an order for conditional discharge or some other form of binding over by a civil court any further offence must be brought to the notice of the civilian authorities notwithstanding that it would otherwise normally be dealt with by the Service authorities.

c. In Northern Ireland, these factors also include:

- (1) if the suspect was on duty at the time and the offence constitutes a breach of that duty, the local police will normally hand the suspect over to the Service authorities even though the offence may affect the property of a civilian. This would not apply to a charge such as dangerous driving which involves risk to the general public;
- (2) the Service authorities will generally deal with an offence committed by a member of the forces on Service premises if it can be dealt with summarily and was either a minor assault on a civilian or a minor offence against the property of a civilian.

4. In Scotland and Northern Ireland, paragraphs 2 and 3a do not apply to the following offences despite there being concurrent jurisdiction: treason, murder, manslaughter, treason-felony, rape, genocide or aiding, abetting, counselling or procuring suicide, an offence under section 1 of the Biological Weapons Act 1974, an offence under sections 2 or 11 of the Chemical Weapons Act 1996 or an offence under section 1 of the Nuclear Explosions (Prohibition and Inspections) Act 1998. The most appropriate jurisdiction will continue to be determined in accordance with paragraph 2 but at present there are no agreed principles on which such determination is made.

### **3703. Naval Air Sections and Units at RAF Stations**

1. Naval air sections or organized naval air units at RAF stations are to conduct their flying in accordance with MAA Regulatory Publications and BRd 767 Naval Aviation Orders, conforming as necessary to any flying or administrative arrangement deemed necessary by the Commanding Officer of the station. Where these are in conflict with naval regulations, clarification is to be sought from the Staff Aviation Officer.

### **3704. Ministry of Defence Police**

1. When serving in naval establishments, Ministry of Defence Police are not to be borne on Ships' books.

2. The Ministry of Defence Police are on the same footing as the local police, and the Commanding Officer of the Establishment has no authority to issue any instructions to them or to interfere in any way with their administration. It is the duty of the senior police officer to meet the Commanding Officer's wishes in every way possible, but when the Commanding Officer's requirements are beyond the capacity of the Ministry of Defence Police, or if they conflict with the instructions that the police have received from their own superior officers, the senior police officer will inform the Commanding Officer and the Assistant Chief Constable, Ministry of Defence Police, of the area concerned, that he/she cannot comply with the Commanding Officer's wishes.

3. In any case of doubt or difficulty, the Commanding Officer is to refer to the Assistant Chief Constable, Ministry of Defence Police, of the area concerned.

### **3705. Service Personnel Detailed for Duty with or under Civilian Organizations**

1. The civilian staff of training and educational establishments and of private firms where Service personnel are undergoing training, including vocational training, cannot give lawful commands as superior officers within the meaning of the Armed Forces Act 2006.

2. Service personnel detailed for duty or training with or under such organizations are to comply with any proper instructions given to them by a member of the competent civilian authority. This regulation is to be brought to their notice on being so detailed, and any breach of it may then be charged and tried as conduct to the prejudice of good order and discipline.

**3706. Officers and Ratings who are Lent to Merchant Ships, or Take Passage in, or are Appointed or Drafted to RFAs etc.**

1. When Service personnel take passage in, or are appointed or drafted for service in RFAs or lent to merchant ships under 0729, they are to comply with any instructions given to them by, or with the authority of, the Master for the proper working, safety, or management of the ship. Any breach of this regulation may be dealt with as conduct to the prejudice of good order and discipline.
2. Commanding Officers are to bring this Article to the attention of all Service personnel concerned, and a reference to it is to be made in the written orders for naval parties permanently embarked in RFAs.



**CHAPTER 38****MISCONDUCT AND NEGLIGENCE OF OFFICERS**

*(MOD Sponsor: NAVY LEGAL-DISCIPLINE LAW SO1)*

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

**CONTENTS****Para**

- 3801. Arrest of Officers
- 3802. Choice between Disciplinary Proceedings and Administrative Action
- 3803. Report on Misconduct or Negligence
- 3804. Administrative Censure
- 3805. Logging

## CHAPTER 38

## MISCONDUCT AND NEGLIGENCE OF OFFICERS

**3801. Arrest of Officers**

1. An officer who disobeys an order or otherwise acts in a manner that gives rise to a reasonable suspicion that he/she has committed, is committing, or is about to commit an offence may be placed under arrest in accordance with ss.67-69 AFA 06 (see JSP 830 Manual of Service Law Chapter 4). Should an Officer be arrested, the Commanding Officer is to report the circumstances to his/her superior authority as soon as possible. On release from arrest, the officer is to return to their duty without prejudice to any ongoing or subsequent investigation, potential charge, any future disciplinary action or to any complaint he/she may make.

**3802. Choice Between Disciplinary Proceedings and Administrative Action**

1. Offences by officers may be divided into those of misconduct and those of negligence. If an officer commits an offence of either type against the Armed Forces Act 2006, disciplinary action may only be taken by way of Summary Hearing or Court Martial trial. No punishment may be awarded to any officer except in accordance with the Armed Forces Act 2006.

2. Minor Administrative Action (see JSP 833 and BRd 3(1) Chapter 20 Section 5) may, where appropriate, be taken against officers up to the rank of Commander/Lieutenant-Colonel for minor personal or professional failings in accordance with extant policy. Major or other Administrative action, usually by way of censure or logging, may be considered where Minor Administrative Action is inappropriate but the interests of justice and of the Service do not require disciplinary action to be taken. Administrative action is not to be taken as an alternative to disciplinary action when a *prima facie* case to support a formal charge cannot be established. A censure or logging is not a bar to subsequent disciplinary action, but should not be awarded until full consideration has been given to whether or not a Summary Hearing or Court Martial trial is appropriate.

3. In order to ensure consistency, Commanding Officers should seek guidance from the appropriate superior authority in all but straightforward cases. Legal advice will be provided by the Regional Legal Offices.

4. **Misconduct.** Where specific misconduct amounting to an offence against the Armed Forces Act 2006 is alleged against an officer, the matter will normally be dealt with by disciplinary proceedings. Administrative action will rarely be an appropriate alternative, except for very minor instances of misconduct, although it may be more readily applicable to officers under training because of their lack of naval and general experience.

5. **Negligence.** Negligence of a serious degree or gross degree (especially when it imperils the safety of a ship or aircraft) will normally lead to disciplinary proceedings against the officer concerned. Other cases of negligence may be dealt with administratively. Errors of judgement should not be the subject of either disciplinary proceedings or administrative censure but appropriate guidance may be issued by way of, for example, a Letter for Guidance.

6. These instructions are not intended to inhibit Commanding Officers from warning officers about their conduct should it fall, or risk falling, from the high standards expected; nor do they affect other actions taken in accordance with the custom of the Service such as the stoppage of bar privileges. The former practice of requiring an Officer on board for duty is no longer appropriate. Where extra duties or work is considered necessary, Minor Administrative Action is to be taken in accordance with current guidance in JSP 833 and BRd 3(1) Chapter 20 Section 5.

### **3803. Reports on Misconduct or Negligence**

1. Where a Summary Hearing or Court Martial trial is held:
  - a. The procedures in JSP 830 Manual of Service Law, Chapter 9 and BRd 3(1) Chapter 20 Section 10 are to be followed. Punishments are to be recorded in accordance with BRd 3(1) Chapter 20 Section 10. In addition, the award of imprisonment or dismissal is to be recorded in an officer's official record;
  - b. Where recording of the punishment on the official record is optional, the CO is to report the offence and punishment to higher authority, with a recommendation as to whether the punishment should be recorded. The higher authority will decide whether the punishment should be recorded.
2. Where Summary Hearing or Court Martial trial is not intended:
  - a. If an officer commits an act of misconduct or negligence which does not merit disciplinary action, the Commanding Officer may, if he/she decides not to deal with the case personally by logging, warning, guidance or counselling, make a report to the appropriate superior authority. The report is to describe the circumstances of the misconduct or negligence and is to recommend such of the following courses of action as are considered proper in the circumstances:
    - (1) Administrative censure, in accordance with BRd 3(1) Chapter 20 Section 7;
    - (2) Quarterly reporting, in accordance with JSP 757 and BRd 3(1) Chapter 57, if the misconduct or negligence reveals a significant inadequacy or shortfall in performance that requires regular monitoring. The report is to be raised as a Special Circumstance report as specified in BRd 3(1) Chapter 57;
    - (3) Recommendation for removal from assignment in accordance with BRd 3(1) Chapter 60 if the misconduct or negligence reveals a fault of character or competence indicating that the officer is unfit to continue in the appointment and that he/she has forfeited the confidence of the Commanding Officer such that the officer's position is untenable. The recommendation is to be accompanied by a Special report and Representation or Waiver of Representation as specified in BRd 3(1) Chapter 60 Section 2;
    - (4) Administrative discharge. This will not normally be considered before Quarterly reporting action has been taken in cases of incapacity or unsuitability. However, a recommendation for discharge for misconduct may be made without recourse to Quarterly report procedures, e.g. after a single act of misconduct.

## **BRd 2**

b. When removal from assignment or administrative discharge (but not Quarterly reporting) are recommended without accompanying censure, the officer concerned is to be informed of the allegations and recommendation and invited to make any written representation which he/she wishes to be considered. In the case of administrative censure the officer will be given this opportunity when formal allegations are put to him/her (see BRd 3(1) Chapter 20 Section 7).

3. **In All Cases.** Where there has been a loss of public stores or money, recovery action is to be considered and, when inappropriate or where there is any shortfall in the recovery, write-off action is to be taken in accordance with JSP 754 Pay and Charges or BRd3 Part 6 Uniform Regulations. When the officer is invited to make a representation he/she should be made aware that recovery of losses will be considered.

### **3804. Administrative Censure**

1. For Administrative Censures refer to BRd 3(1), Chapter 20 Section 7.

### **3805. Logging**

1. When the Commanding Officer considers that minor misconduct by an officer, for which no further disciplinary or administrative action is to be taken, should be recorded, a Commanding Officer's Logging may be awarded in accordance with BRd 3(1) Chapter 20 Section 7. The wording to be used is at BRd 3(1) Chapter 20 Annex 20A.

2. Since loggings are not noted in an officer's record, Commanding Officers do not need to routinely report these to higher authority.

**CHAPTER 39****CIVIL POWER**

(MOD Sponsor: NAVY LEGAL-DISCIPLINE LAW SO1)

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

**CONTENTS****Para**

- 3901. Arrest by the Civil Power
- 3902. Report of Arrest, Summons, Conviction or Caution by the Civil Power
- 3903. Trial by the Civil Power - Attendance of Officer
- 3904. Service Personnel Remanded on Bail Abroad
- 3905. Expenses of Rejoining Ship after Trial
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- 3908. Accounting Action Following Civil Conviction of an Officer
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## CHAPTER 39

## CIVIL POWER

**3901. Arrest by the Civil Power**

1. **Commanding Officer's Responsibilities.** In the United Kingdom the Commanding Officer is to afford every facility to the civil power in detecting and apprehending persons serving on board whose arrest is required on any criminal charge, but the Commanding Officer is to require any constable, or other civil officer coming on board to search for or apprehend such persons, to produce their warrant or to show satisfactory evidence of the authority under which they act.

2. No officer or rating in lawful service custody on board can be demanded by the civil authorities for trial in a civil court, except on a writ of habeas corpus or on an order by the Secretary of State. They may, however, be surrendered voluntarily to answer a criminal charge if such charge is in respect of a civil offence more serious than the service or criminal offence for which they are held in custody on board. Normally it would be inappropriate to refuse to surrender a Service person required to appear at a Crown court.

3. If the Commanding Officer refuses to surrender a person to a warrant, summons or other process, they are at once to report this fact to the Fleet Commander (or, in their absence, the senior officer present) giving his/her reasons and details of the offence, if any, with which the person is charged ashore and of the offence for which the person is under arrest or in custody on board.

4. In foreign ports the British Consul or Embassy should be consulted; in countries which are members of the North Atlantic Treaty Organization reciprocal agreements will be in force regarding arrest and trial for offences committed on shore. For other countries, a Memorandum of Understanding may be in force concerning the same matters. Advice should be sought from the Defence Attache or Consul and Regional Legal Office in the first instance (See also JSP 830, Manual of Service Law Volume 1 Chapter 3 and FLAGO Chapter 16.)

5. **Criteria for Trials.** Where jurisdiction for an offence committed by a person subject to Service law may lie with both the Service authorities and the civilian authorities, there are established procedures and protocols that determine the exercise of jurisdiction. Further information may be found in JSP 830 Manual of Service Law Volume 1, Chapter 3.

6. **Divisional Officer's Duties.** Guidance on the Divisional Officer's duties in these circumstances is given in **3903** and BRd 3(1) Chapter 20 Section 18.

7. **Court Attendance.** Attendance of personnel at civil courts and the serving of writs, summonses, and other process is dealt with in Chapter 58.

**3902. Report of Arrest, Summons, Conviction or Caution by the Civil Power**

1. Any officer or rating who is arrested by the civil power, or summoned on a criminal charge, whether in the United Kingdom or overseas, is to report such arrest or summons to their Commanding Officer without delay and is subsequently to report the outcome, including any award of a Police Caution, (See also **3909**), Anti Social Behaviour Order (ASBO) or Football Banning Order (FBO).

Motoring offences (including fixed penalty offences) need not be reported unless they result in a court appearance.

2. It is important that information about pending cases in civil criminal courts, in the UK or overseas, relating to Service Personnel be available to the Navy Command Secretariat, to enable Ministers and senior management to be informed as necessary and to enable accurate and timely responses to media inquiries. Commanding Officers are therefore to ensure that the process described in BRd 3(1) Chapter 20 Section 17 and Annex U is followed for initial reporting purposes and subsequent updates. Press reporting can take place at the arrest, charge, summons, appearance in court or conviction stages of an incident involving an officer, rating or other rank. Information should be provided as soon as practicable via this prescribed route. Care should be exercised with further sharing of such sensitive information, limiting the content and distribution to those who have a demonstrable need to know.

3. The types of offences that are likely to meet the “attracting adverse publicity” or “bringing the Service into disrepute” criteria are: murder, rape, cases involving serious or fatal injury, sexual or indecency offences involving children as well as those not involving children, making and/or possession of pornographic images of minors including on computer, drug or drug-linked offences, firearms offences and the committing of any offence that was racially motivated. **This list is not prescriptive or exhaustive** and if there is any uncertainty over what to report then advice should be sought from NAVY SEC-2 DISCIPLINE 1.

4. Where a conviction has resulted, the individual's CO must decide whether or not to take administrative action, which may range from censure to administrative discharge (See also **3906, 3908, 3909 and J.5808.**) The decision should not be delayed because the individual is required to report the conviction to a professional body such as the General Medical Council or the Bar Council. The Commanding Officer may, upon any representation submitted by the individual, consider whether there are any exceptional reasons relating to the offence or the offender to justify delaying administrative action until after any decision of a professional body. If administrative action is taken before the decision of a professional body, any subsequent decision of those bodies may result in further and separate administrative action by the Service. In determining whether or not administrative action may be appropriate where an individual under their command has been convicted of a civil offence, Commanding Officers must seek legal advice from their Regional Legal Office.

5. **Officers.** When forwarding reports of officers convicted by the civil power, or awarded a Police Caution, full details of the circumstances leading to the conviction or Police Caution should be reported together with any necessary comments and with recommendations. The officer concerned is to be invited to submit a representation and where he/she does so this representation is to be forwarded in accordance with the procedure in BRd 3(1) Chapter 20 Section 7. If the officer declines to do so, this should be stated.

6. **Sexual Offences.** If an alleged civil offence has been committed that could lead to an officer, rating or other rank being subject to the notification requirements of the Sex Offender's Act 2003, NAVY SEC-2 DISCIPLINE 1 is to be informed as soon as practicable (see BRd 3(1) Chapter 20 Section 22 for further guidance).

### 3903. Trial by the Civil Power - Attendance of Officer

1. **Attendance.** The attendance of an officer or senior rating to watch the civil trial of a Service person in the United Kingdom is at the discretion of the accused's Commanding Officer, who is to consider the gravity of the charge, the distance from the ship or establishment to the court and the exigencies of the Service. An officer ought normally to attend trial before a Crown court and the more serious cases tried by the Magistrates' Court. Where a rating is being tried and it is appropriate for an officer or rating to attend the trial, it is preferable for the person's Divisional Officer or Divisional Senior Rating to attend the trial. Attending officers are to comply with the provisions of BRd 3(1) Chapter 20 Section 18 in the conduct of their duties, noting that they may be under remit to contact NAVY SEC-2 DISCIPLINE 1 immediately on conclusion of the hearing

On occasion it may be more convenient for an officer or senior rating to attend from a ship or establishment nearer to the court than the accused's ship or establishment. A temporary Divisional Officer from the RN Recovery Cell will normally attend court if the individual is landed. Unless requested by the civil authorities, the attendance of an officer or senior rating in court is not necessary when an officer or Service person is charged before a Magistrate's Court in the United Kingdom with any minor traffic offence committed in respect of a privately-owned vehicle. If a Service vehicle is involved an officer or senior rating should, if possible, attend.

2. **Testifying.** If called upon by the court to testify to the general character of the accused, the officer or senior rating who attends is not to give information of minor offences against the discipline of the Service unless specially required by the court to do so, since the nature of these offences is liable to be misunderstood to the prejudice of the accused. The rating's Conduct Record and/or Formal Discipline Record is not to be handed to the court. Further guidance on testifying is contained in BRd 3(1) Chapter 20 Section 18. Officers and senior ratings attending trials should make it clear to the accused that they are there only to observe proceedings and to record any relevant information for the attention of the accused's Commanding Officer.

3. **Information to be Obtained.** Before leaving the court, the officer or senior rating is to obtain sufficient information from a court official, who will normally be the clerk of the court or one of their staff, to enable Form C.57 to be completed in accordance with BRd 3(1) Chapter 20 Section 18.

4. **General Character References.** Where an officer or senior rating does not attend the court, the police should be informed of the general character of the accused and be requested to communicate the decision of the court in due course.

5. **Sureties.** Sureties or Securities for bail cannot be provided from naval funds in the United Kingdom.

6. **Trials Abroad.** The principles relating to consideration of administrative action should also apply, as far as possible, to convictions arising in other parts of the Commonwealth and in foreign countries.



### **3904. Service Personnel Remanded On Bail Abroad**

1. When an officer or rating has been arrested by the foreign civil power and afterwards remanded on bail abroad, and the ship to which the individual belongs leaves the port before he/she is dealt with, the Commanding Officer of the individual must seek legal advice prior to sailing regarding the handling of the individual.

### **3905. Expenses of Rejoining Ship after Trial**

1. An officer or rating who is left behind by their ship because of proceedings against them in a civil court, if they are subsequently convicted, is liable for the whole cost of rejoining the ship. In cases where the individual is acquitted, the cost of rejoining the ship will be met by public funds.

### **3906. Consequences of Conviction by the Civil Power**

1. **Time in Custody.** When a rating appears before a civil court and is convicted of an offence he/she may be liable to forfeit pay for the time spent in post-charge civil custody and he/she may incur a Service Penalty under the provision of this article.

2. **Forfeiture of Pay.** Any Service person may be liable to have his pay forfeited or have deductions made from his pay in certain specified circumstances in consequence of the provisions of The Armed Forces (Forfeitures and Deductions) Regulations 2009 ('the Regulations') made under the Armed Forces Act 2006. Pay may be forfeit for any period of absence from duty specified in the Regulations. Further guidance and policy on implementing, effecting and enforcing forfeitures and deductions is contained in JSP 754 (Tri-Service regulations for pay and charges). Forfeiture of pay cannot be awarded simply for attending court.

3. **Spare.**

4. **Service Penalties.**

a. These penalties are based on the principle that any employer is entitled to take action when one of their employees is convicted by a civil court or court martial of an offence which may reflect on the employee's character, trustworthiness, reputation or the employers' ability to employ the employee.

b. In the light of a civil conviction, an employer will consider whether:

- (1) They can continue to employ the offender.
- (2) The offender is fit to hold a position of trust or command.
- (3) The offence needs to be reflected in any reference the employer may give.
- (4) The offence is serious enough to warrant an entry on the employer's records relating to the offender.

## **BRd 2**

c. Similar considerations apply to Service personnel. A Commanding Officer may not punish a rating again for an offence for which they have already been convicted by the civil power or court martial. Nor may he/she take any action based on his/her opinion about the adequacy of the sentence. However, the nature of the offence may show, either by itself, or when taken in conjunction with an unsatisfactory naval record that the rating:

- (1) Is not fit to remain in the RN; or
- (2) Is not fit to continue to hold their current rate; or
- (3) Can no longer be regarded as of good character or conduct so that it would be unfair to those with unblemished records if this were not reflected in a Career Check.

d. If one of the foregoing considerations is judged by the Commanding Officer to apply in any particular case then legal advice must be sought prior to one or more of the following actions being initiated:

- (1) Discharge Services No Longer Required (SNLR).
- (2) Discharge SHORE.
- (3) Reversion with the option of discharge SHORE.
- (4) A Career Check.

Service Penalties may only be awarded by those officers authorised to do so in accordance with BRd 3(1) Annex 54A, who must take into account the related guidance contained in BRd 3(1) Chapter 20 Section 19 and seek legal advice.

e. Discharge SHORE will normally be appropriate in the case of c(1) above if the civil offence had no connection with the RN, unless the offence was serious and brought the Service into disrepute in which case Discharge SNLR may be more appropriate.

f. No Service Penalty is to be initiated if:

- (1) None of the considerations in c(1)–(3) above applies.
- (2) The rating is committed to prison for default in payment of court orders or for other forms of contempt of court. In these circumstances, however, forfeiture of pay and service will apply for the time spent in custody.

g. An application for Discharge SNLR is to be made in all cases involving conviction for misuse of drugs. See JSP 835 Chapter 4.

5. **Service Penalties - Consequences.** Attention is drawn to the following facts:
  - a. Discharge SNLR as a Service Penalty will automatically incur a Career Check.
  - b. Reversion as a Service Penalty will automatically incur a Career Check.
  - c. A conviction may lead to the deferral of the award of the Long Service and Good Conduct Medal and may result in forfeiture of the medal, if held, if a sentence of more than 6 months' imprisonment is imposed. (see JSP 761 Honours and Awards in the Armed Forces). Dependent upon a rating's length of service and previous record, it may also preclude promotion/advancement for 6 months and/or the award/restoration of Good Conduct Badges.
6. **Admission of Guilt Without Appearance in Court.** Some minor offences may be dealt with by Magistrates' Courts in the United Kingdom on the basis of a plea of 'Guilty' submitted by letter without the attendance of the accused. This is to be treated as a conviction for the purposes of Service Penalty action.
7. **Completion of Form C.57.** The award of a Service Penalty is to be recorded on Form C57 and submitted to the Summary Hearing Review Cell within 5 days of its award. Prior to the award of a Service Penalty, the rating is to be informed that consideration is being given to the imposition of a Service Penalty and is to be given the opportunity to make any representations he/she may wish on the subject. Any such representations are to be considered by the officer authorised to award the Service Penalty. Where the officer authorised to award the Service Penalty determines that the proper penalty is Reversion, he/she must give the rating the option of Discharge SHORE. Before this can be done, the approval of the appropriate authority must be obtained in accordance with BRd 3(1) Annex 54A. In such a case the C.57 should indicate the rate to which it is proposed that the rating is reverted. On receipt of the necessary authority, the Commanding Officer should inform the rating that approval has been given for him/her to be reverted to the particular rate, but that, if they prefer, they may be discharged SHORE instead and that they have forty-eight hours in which to make up their mind. At the end of that period the rating is to be discharged or reverted accordingly without further reference to higher authority. Where a civil conviction has resulted in the award of a custodial sentence, whether suspended or committed, the decision as to what Service Penalty should be awarded is to be taken at no lower level than the Naval Secretary.
8. **Representations.** If the Service Penalty proposed is one which the Commanding Officer can personally approve, the rating is to be given the opportunity to make oral representation at this stage and before final decision is made and communicated to him/her. Every rating is to be told formally by their Commanding Officer of any penalty imposed upon them. When the person appears before the Commanding Officer for this purpose, they should not be treated as a defaulter but should keep their cap on and be dealt with after 'Requestmen'. If the rating is in a civil prison, the decision should be communicated to him/her in writing.
9. **Records.** Particulars of Service Penalties and forfeitures of pay are to be noted on the Unit Record and recorded in JPA Discipline under Warnings and Sanctions so that details appear in the rating's Formal Discipline Record in accordance with the instructions contained in JSP 754 Tri Service Regulations for Pay and Charges and in BRd 3(1) Chapter 20 Section 19.

## BRd 2

10. **Numbering of Records.** Forms C.57 should be numbered consecutively throughout the commission. Ships in permanent commission should start a new series on the 1<sup>st</sup> of January of each year. Where forfeiture of pay and service is not involved and no Service penalty is awarded, the Commanding Officer is to record 'nil Service penalty' along with any observations he or she may wish to make at section B of Form C57.

11. **Royal Marines.** These arrangements also apply to Royal Marines, found guilty by the civil power (see also BR 1283, Royal Marines Instructions).

12. **Appeal to Higher Court.** When notice of appeal to a higher court against conviction is given, any decision regarding Service Penalty action should be deferred pending the result of the appeal. Action should not be deferred if the conviction is established and the appeal is against sentence only, unless in the Commanding Officer's opinion it is not practicable to decide on a Service Penalty without knowing the court's final decision on sentence. In these circumstances, approval for this course of action is to be sought from the Naval Secretary. If the conviction is upheld on appeal, any Service Penalty which may then be approved should take effect as if there had been no appeal.

### 3907. Bearing of Ratings in Civil Custody

1. Ratings against whom an offence has been found proved by the civil power, whether sentenced to imprisonment or not, are normally to continue to be borne on the books of the ship to which they belong unless they have been discharged or re-assigned.

### 3908. Accounting Action Following Civil Conviction of an Officer

1. The Commanding Officer is to ensure that any necessary accounting action is taken following the civil conviction of an officer.

### 3909. Police Cautions (formerly known as Formal Police Cautions)

1. **Award of Police Cautions.** The civil police of England, Wales and Northern Ireland have the discretion in certain circumstances not to put a case to the Crown Prosecution Service, but to award a Police Caution instead. Cautions can be administered in two forms: as a **simple caution** or as a **conditional caution**, which has specific conditions attached that the offender must satisfy. Police Cautions are not categorized as convictions, and can only be issued when an offender admits the offence, consents to the caution and signs a document to that effect.

2. **Comparison with Service Discipline.** A number of factors are taken into account by the police before a Police Caution is issued, including the seriousness of the offence. However, use of Police Cautions is being made in cases which would be regarded as having a serious effect on naval discipline—for example, gross indecency, theft and unlawful possession of drugs.

3. **RN Policy on Police Cautions.** Commanding Officers are to comply with the policy laid down in BRd 3(1) Chapter 20 Section 19 regarding the approach to be taken when a Service person is awarded a Police Caution. In addition, the following applies when a Police Caution has been issued:

- a. Personnel are required to report to their Commanding Officer any Police Caution which has been awarded to them in the same way as they are to report any arrest.
- b. No Service prosecution under the AFA 06 shall be instituted for an offence for which a Police Caution has been awarded. The Police Caution is to be regarded as having disposed of the disciplinary aspects of that offence.
- c. Legal advice should always be sought in regard of Service Penalty action.

**3910. Security Aspects.** Commanding Officers are to consider the possible personnel security implications of offences that result in a charge, conviction or the award of a Police Caution. In cases which indicate an offence of potential security concern the submission of a security after-care report to PSyA may be required.

## CHAPTER 40

### MISSING PERSONS

(MOD Sponsor: DPM(N) and Navy Legal-Discipline Law SO1)

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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## CHAPTER 40

### MISSING PERSONS

#### 4001. Definitions

1. **Definition of a Missing Person.** The definition of a missing person is anyone who is reported to Royal Navy Police (RNP), or any other authority or agency, whose whereabouts are unknown and there are either grounds to fear for their safety, concerns about their welfare or any suspicious circumstances surrounding their disappearance. Such a person will continue to be considered missing until they are located or their well being, or otherwise, is established. If, upon receipt of such a report, their well being is established but they remain absent from duty, a Certificate of Absence will be actioned and they will be categorised as an Absentee/Deserter.

2. **Definition of Absence without Leave.** By Section 9 of the Armed Forces Act 2006 a person subject to Service law commits an offence if:

- a. he/she is intentionally or negligently absent without leave; or
- b. he/she does something, or omits to do something, being reckless as to whether that act or omission will cause him/her to be absent without leave and that act or omission causes him/her to be absent without leave.

Absence without leave carries a sentence up to 2 years imprisonment.

3. **Definition of Desertion.** By Section 8 of the Armed Forces Act 2006 a person subject to Service law commits the offence of desertion if he/she is absent without leave and intends either to remain permanently absent without leave or to avoid a period of active service. "Active service" means service in -

- a. an action or operation against an enemy;
- b. an operation outside the British Islands for the protection of life or property;
- c. the military occupation of a foreign country or territory.

Desertion carries a maximum sentence of imprisonment for life where the intention was to avoid active service. Otherwise the maximum sentence is 2 years imprisonment.

#### 4002. Apprehension of Absentees and Deserters

1. **Action on Discovering Suspected Unauthorised Absence.** JSP 830 the Manual of Service Law, Chapter 10 (Absence and Desertion) describes the procedures for reporting absence and initiating apprehension of absentees and deserters. Provost Marshal (Navy) Technical Instruction 08 is to be followed for establishing the welfare and whereabouts of a missing person. The person reporting the absence should raise an Initial Absence Report (JSP 830 the Manual of Service Law, Chapter 10 Annex B) to inform the relevant RNP Regional Police Commander of the absence.

2. **Initial Enquiries.** Every possible effort is to be made to establish the welfare and whereabouts of a person who has not returned to duty on the expiry of authorized leave.

- a. If initial enquiries tend to suggest a person is missing, then the parent unit should follow the missing person procedure immediately, emphasising that they believe the person to be missing rather than absent.
- b. Service kit and personal effects of the missing person are to be accurately recorded and secured by RNP personnel and forwarded to RNPHQ(E), once moved to MA12 HMS NELSON on the eighth day of absence. Where RNP are unavailable, the Coxwain will be responsible for recording and securing the service kit and personal effects and should liaise with the relevant RNP Regional Police Commander at the earliest opportunity.

3. **Certificate of Absence.** A Certificate of Absence should be raised by the CO on the eighth day of absence, or sooner if there are grounds to suggest that the individual is unlikely to return before the eighth day. The certificate has the following purposes: to aid recovery by informing the Service authorities of the absence; to allow the details of the absent person to be entered into the Police National Computer; it is the authority to suspend pay during the period of absence; where there are proceedings before a civilian court, it provides the court with evidence prescribed by Regulations made by the Secretary of State. JSP 830 the Manual of Service Law, Chapter 10 describes in full the procedure for raising and stopping the Certificate of Absence.

4. **Warrant for Arrest.** Application may be made by the CO (or a person acting on the CCO's behalf) or the Service Police to a Judge Advocate for a Warrant for the arrest of a person suspected of unauthorized absence. A Warrant may be required if Service or Civilian police need the authority to enter property to apprehend an absentee. The circumstances under which application may be made are described in JSP 830 the Manual of Service Law, Chapters 4 and 10. Since application must be made at a hearing before the Judge Advocate it will normally be appropriate for the the relevant RNP Regional Police Commander organisation to apply for the Warrant of Arrest.

5. **Local Regulations Abroad.** On foreign stations Fleet Commander is to make such special local regulations for the apprehension of deserters and absentees as the circumstances may require, subject to the instructions contained in this section. Certificates of Absence are to be sent to the addressees listed in JSP 830 the Manual of Service Law, Chapter 10.

6. No measures are to be taken for apprehending deserters or absentees on foreign soil without the permission of the local authorities.

7. No officer of Her Majesty's Forces or their representative is to search any foreign ship for any naval deserter or absentee, whether such ship is in foreign waters, or elsewhere, even if a Certificate of Absence or Warrant For Arrest has been issued.



## BRd 2

8. **Notification of NOK.** The NOK of any officer or rating, over the age of 18, who is absent without leave for more than 7 days should be notified by the CO or suitable representative (typically the RNP). This notification should only describe the officer or rating as an absentee/missing when the facts are beyond all doubt. Otherwise the notification should not describe them as missing or as an absentee, but should state the circumstances of their absence, e.g. failure to report onboard from leave when expected, and that enquiries are being made. The NOK is to be kept informed of continuing developments. Copies of all letters from the CO to the NOK are to be copied to the relevant RNP Regional Police Commander.

9. **Absentees younger than 18 years.** Absentees under 18 years of age are automatically classified as a high risk MISPER and therefore NOK should be notified by the CO, or suitable representative, as soon as absence is confirmed. The RNP SIB are also to be informed at the earliest opportunity.

10. **Casualties.** Since cases of apparent absence without leave may arise as a result of an accident, the CO should also consider whether there are grounds for supposing that an accident has occurred and, where sufficient evidence exists, should follow the procedures in Chapters 51 and 53.

11. **Stop Certificate of Absence.** Once an individual reported as absent is determined to be no longer unlawfully absent the Stop Certificate of Absence (JSP 830 the Manual of Service Law, Chapter 10 Annex G) should be raised by the CO (see JSP 830 the Manual of Service Law, Chapter 10). The Stop Certificate of Absence is to ensure that; appropriate adjustments are made to the person's pay account; the police stop their search for the absentee; and, where appropriate, NOK are informed.

12. Deserters and absentees on the eighth day of absence are moved to MA12 HMS NELSON under the Naval Base Commander Portsmouth until recovered and further assigned.

### 4003. Deserters and Absentees on Sailing

1. **Reports.** If any individual is absent without leave when a ship sails, an Initial Absence Report should be submitted to the relevant RNP Regional Police Commander. On the eighth day, or before if the knows the absentee is not returning, a certificate of absence should also be raised.

2. **Recovery and Disposal of Absentees.** If any such absentee should return or be apprehended and brought back while their ship is absent, they may be:

- a. returned to their assigned ship; or
- b. dealt with by another CO.

Disciplinary action can only be taken by a person's CO. If the absentee cannot be returned to their own unit they may be assigned or attached to another ship or establishment and dealt with by the CO of their new unit. Alternately it may be appropriate for the Higher Authority responsible for the ship/unit from which the individual is absent, to appoint another officer as the absentee's CO for disciplinary purposes (see JSP 830 the Manual of Service Law, Vol1, Chapter 2). Action under a. is preferable from the disciplinary point of view, provided that it does not involve undue delay in the investigation of the case.

3. **60-Day Absence.** If the individual has been absent for 60 days or more or the individual's ship has deployed, action in clause 2b. will normally be appropriate. These individuals should be dealt with by the appropriate Flotilla Commander wherever possible.

4. **Summary Punishment.** The officer who hears the case summarily is responsible for seeing that the necessary action is taken in accordance with JSP 754, *Tri Service Regulations for Pay and Charges* and JSP 830 the Manual of Service Law, *Chapter 26 (Forfeitures and Deductions)*..

5. **Service Documents.** JPA Service Records of all long term absentees and deserters will be automatically transferred to MA12 HMS NELSON or their next unit when assigned. By the transfer of records under this article the CO will be deemed to have agreed to the assignment of the absentee or deserter to HMS NELSON for disciplinary purposes in accordance with Manual of Service Law Chapter 2.

#### **4004. Long Term Absence**

1. **Reports.** If any person absents themselves from their duty without leave and fails to give a good and sufficient reason for their absence, their absence is to classified as unauthorized absence on JPA.

2. **Long Term Absence.** On the eighth day of absence the individual will be classified as on Long Term Absence. The selection of this type of absence will ensure that the correct career, pay, allowances and charges actions are taken. Raising of a Certificate of Absence, signed by the CO, will be the authority to initiate such action. A person on long term absence will be reassigned to MA12 HMS NELSON during the period of their absence.

3. **Payment.** The effect on pay of a Certificate of Absence is suspension during the period of absence. Forfeiture of pay will result if it is determined that the individual was absent from duty within the meaning of the Forfeiture and Deductions Regulations (see JSP 830 the Manual of Service Law, Chapter 26).

4. **Reassignment from Unit.** When a person has been absent without leave for more than three months the CO may authorize their reassignment from the ship. The absentee's JPA Service record will then be transferred to MA12 HMS NELSON

**4005. Arrest and Surrender** (See JSP 830 the Manual of Service Law, Chapter 10.)

**4006. Unallocated**

**4007. Unallocated**

**4008. Unallocated**

**4009. Recovery Abroad**

1. Fleet Commander is to make such special regulations as may be suitable. Instructions for reporting absence abroad are contained in FLAGO Article 1622.

**4010. Unallocated**

**4011. Punishment of Deserters and Persistent Leave-Breakers**

1. The punishment of Dismissal is not available at a summary hearing. The CO may deal summarily with persistent leave breakers but should also consider applying for administrative Discharge (SNLR). Deserters and the most serious persistent leave breakers whom the CO regards as unlikely to render any further useful service to the Naval Service should be referred to the Director of Service Prosecutions (DSP) for Court Martial trial.

**4012. Spare**

**4013. Dispensing with Service Proceedings**

1. If a Service person makes a confession of desertion the CO may decide, with the consent of the (DSP), to dispense with proceedings; JSP 830 the Manual of Service Law, Chapter 10 gives full details. It may be appropriate for the CO to dispense with proceedings in the following cases:

- a. Young ratings who have been sent to a Young Offenders' Institution for some other offence committed during desertion and who are to be retained in the Naval Service.
- b. Other ratings who are sent to prison for a long term as a result of some other offence committed during desertion and who will not be retained in the Naval Service.
- c. Ratings who are apprehended, or surrender, after being absent for five years or more, and who will not be retained in the Naval Service.

2. Whilst the offence of desertion must always be regarded as a grave matter, when a deserter is apprehended or surrenders after being absent for five years or more, provided he/she is prepared to sign a confession of desertion, their trial may be dispensed with and the person may be discharged administratively. In cases where the engagement of such a deserter has not expired the appropriate method of discharge will be SNLR.

**4014. Expenses of Army and Royal Air Force Escorts for Naval etc Deserters**

1. Army or Royal Air Force funds will bear any expense incurred by Army or Royal Air Force escorts in escorting deserters from the Royal Navy or Royal Marines; and no claim that may be made locally by Army or Royal Air Force Paymasters for such service is to be admitted. Similarly Naval funds will bear all expenses incurred by Naval or Royal Marines' escorts in escorting deserters from the Army or the Royal Air Force.

#### 4015. Monetary Charges against Absentees and Deserters

1. **Expenses under Escort.** When an offender is apprehended in the United Kingdom and escorted back to their ship in the United Kingdom, the expenses of both the offender and the escort are chargeable to public funds.
2. **Expenses - Return Unescorted.** When an offender has surrendered in the United Kingdom and returns to their ship in the United Kingdom without escort, their travel expenses are their own liability. They may be issued with a repayment warrant if required.
3. **Recovery Abroad.** When an offender is recovered abroad the cost of the fare back to their own ship is to be deducted from their pay. Similarly, the fare of an offender deserting abroad who is recovered in the United Kingdom and is subsequently returned to their own ship abroad is to be deducted from their pay (see JSP 754 Tri-Service Regulations for Pay and Charges). The expenses of an escort in these cases, whether naval, military, air force, or police, are chargeable to public funds.
4. **Limitation of Deductions.** Fleet Commanders, or Flag officers, may at their discretion, limit charges against offenders to such a sum as could be liquidated in three months, if dealt with as debt under provisions of JSP 754 Tri Service Regulations for Pay and Charges, care being taken that advances of pay and allotments are restricted as laid down therein.
5. **Notification of Deductions on Application to Higher Authority for Extended Powers of Punishment.** The amount to be deducted from the absentee's pay is to be noted in the application to Higher Authority for extended powers of punishment. Where the amount cannot be ascertained, the application is to state: 'I intend that he/she be liable to repay the cost of his/her own fare to his/her own ship'. The amount deducted etc is to be reported in accordance with JSP 754 Tri-Service Regulations for Pay and Charges.

#### 4016. Forfeitures Consequent upon Desertion

1. **Forfeiture of Pay.** A deserter is liable to forfeit all pay (see JSP 830 the Manual of Service Law, Chapter 26 (Forfeitures and Deductions) for the period in respect of which they were convicted.. The Defence Council or an officer authorized by them may order forfeiture of pay where they are satisfied that the conduct amounted to an offence of desertion. These forfeitures may be remitted by the Defence Council or an officer authorized by them to do so only in exceptional circumstances, and the reason for the remission is to be reported to the Ministry of Defence (JSP 754 Tri-Service Regulations for Pay and Charges for accounting instructions) (See also BRd3 Chapter 20).
2. **Forfeiture of Service.** A person who is convicted of desertion shall forfeit the period of their service in respect of which they are convicted.
3. **Disposal of Uniform.** Absentees and Deserters kit is to be collected and dealt with as per Service Police procedures. These include authority to search and treating all items as possible evidence.

## **BRd 2**

4. **Medals.** The provisions of JSP 761 Honours and Awards in the Armed Forces Chapter 9 apply to the forfeiture of medals for desertion and the restoration of medals so forfeited.

5. **Good Conduct Badges.** Any rating or Royal Marine convicted of desertion shall forfeit any good conduct badges they may possess (see BRd3 Chapter 20).

### **4017. Unallocated**

### **4018. Unallocated**

### **J4019. Joint Service Units - Disposal of Absentees**

1. A service person who absents themselves without leave from a Joint Service Unit is to be held on the strength of the Joint Service Unit for eight days only. If they return within eight days and have an acceptable reason for their absence they may continue to serve with the Joint Service Unit. After eight days the absentee is to revert to their parent Service and that Service is thereafter to take all the necessary further action in accordance with single Service Instructions.

2. The CO of the Joint Service Unit is to send the Certificate of Absence to the appropriate naval, army or RAF authorities, in accordance with JSP 830 the Manual of Service Law, Chapter 10.

## CHAPTER 41

### SPARE

CHAPTER 42

REPRESENTATIONS AND COMPLAINTS

(MOD Sponsor: NAVY COMMAND CNLS)

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REPRESENTATIONS AND COMPLAINTS

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## CHAPTER 42

### REPRESENTATIONS AND COMPLAINTS

#### J.4201. Representations and Complaints

1. For matters related to Representations and Complaints refer to JSP 831 Redress of Individual Grievances: Service Complaints; JSP 763: The MOD Bullying and Harassment Complaints Procedures; BRd3 Chapter 23: Representations and Complaints; and BRd3 Chapter 54: Leaving the Service (for complaints against Discharge SHORE/SNLR).

#### J.4202. Appeals against Security Vetting Decisions

1. For matters related to appealing a decision to deny or suspend a person's vetting clearance refer to JSP 440: Defence Manual of Security; and BRd3 Chapter 63: Security Vetting Policy.

#### 4203-4220. Unallocated



## CHAPTER 43

### SPARE

## CHAPTER 44

### AVIATION

(MOD Sponsor: NCHQ Dir FGen (NAvn))

This chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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**CHAPTER 44**

**AVIATION**

**SECTION I**

**GENERAL**

(See also Chapter 24 and the Military Aviation Authority Regulatory Publications (MRP))

**4401. General Responsibilities**

1. The Commanding Officer of a ship or air station is responsible for the general command, discipline, efficiency and safety of the air units under their command. In particular they are responsible for the preservation of airworthiness of individual aircraft by ensuring that personnel under command operate and maintain aircraft within the requirements and limits specified in the Release to Service and the Airworthiness Documentation Set. The Commanding Officer is also to ensure that the correct procedure is carried out for the custody, maintenance and reporting of all aircraft and air equipment held by air units under command until they are properly transferred to another authority.
2. Detailed regulations relating to the operation and maintenance of British Service aircraft and other associated air matters are contained in the MRP, MAP-01 and MAP-02. supplement.

**4402. (Navy only) Rescue Services**

1. The Commanding Officer of a ship, or RN air station, is to ensure that aircraft under their command remain within the area of cover of rescue services capable of recovering aircrew before their survival is endangered by exposure. BR767 NAO 2130 provides guidance on the wearing of Aircrew and passenger equipment.
2. The minimum rescue facilities required to be available in the cases shown are as follows:
  - a. Embarked flying at sea. Seaboat or SAR helicopter (organic or otherwise).
  - b. Embarked flying in harbour. Safety boat.
  - c. Live wet winching exercises. Safety boat or SAR helicopter in immediate attendance.
3. Commanding Officers have the authority to determine the level of rescue facilities where operational requirements so dictate. Further guidance for rescue services is detailed in BRd 766 EAO 2306(1).

**4403. Spare**

#### **4404. Training Areas**

1. Proposals for low-flying routes and areas are to be submitted through the administrative authority as detailed in the MRP (RA2330 and the UKLFHB noting a 30 day lead time required for submissions). Proposals for armament practice areas and general training areas are to be submitted to the Ministry of Defence through the administrative authority. The Ministry of Defence will ensure that the proposed areas do not conflict with the interests of other services or of other Government departments. When final agreement is reached, the Ministry of Defence will authorize the use of the areas proposed and will promulgate the details of any restrictions to be observed in their use.
2. Abroad, proposals for training areas are to be submitted, through the administrative authority, to the Fleet Commander for approval.
3. Detailed instructions relating to armament practice areas are contained in AP110A-0005-1, *Manual of Air Weapon Training*.

#### **4405. Aircraft Being Ferried**

1. When aircraft and aero engines are ferried in Her Majesty's ships, the Captain is responsible for the maintenance of the state of preservation.

#### **4406. Guarding Landed Aircraft**

1. When aircraft are landed at naval establishments from HM ships for collection by a salvage party, the ship landing an aircraft is to turn it over to the local naval authority, who will be responsible for the security of the aircraft or portion thereof, providing a guard if necessary, until it has been entirely removed by the salvage party.

#### **J.4407. Customs and Health Regulations**

1. Commanding Officers are to ensure that Customs, Immigration, Finance and Public Health regulations are observed in accordance with the current instructions.
2. Service aircraft may not carry:
  - a. Any goods whose importation is prohibited.
  - b. Any dutiable goods, except when they are being landed under the regulations promulgated in:
    - (1) DINs, Defence Instructions and Notices.
    - (2) BR 1990, HM Revenue and Customs for the Royal Navy.
3. Customs examinations of classified documents carried in Service aircraft 'by safe hand of Air Captain (SHOAC)' are to be in accordance with AP 1990, Part 3 -*Air Transport Security, Chapter 8 – Air Cargo and JSP 440, Defence Manual of Security: Part 1, Chapter 3.*

#### J.4408. Reporting of Aircraft Accidents and Noteworthy Incidents

1. The MoD is to be advised without delay of accidents, and noteworthy incidents likely to generate interest from the Press, involving the following:
  - a. UK military aircraft or any aircraft on charter or lease to MoD, regardless of location.
  - b. Foreign military aircraft anywhere in UK and at or near Service establishments abroad.
  - c. Civil aircraft at or near Service establishments in UK and abroad.
2. Procedures for the reporting and investigation of accidents and incidents to military aircraft are detailed in the MRP:
  - a. RA1410 (Occurrence Reporting and Management).
  - b. RA 1420 (Service Inquiries; Air Accident and Significant Occurrence Investigation).
  - c. RA 1430 (Aircraft Post Crash Management and Significant Occurrence Management).
3. Casualties resulting from an aircraft accident are to be reported immediately in accordance with JSP 751, Joint Casualty and Compassionate Policy and Procedures.

#### J.4409. Action by a Commanding Officer after the Report of an Aircraft Accident or Forced Landing

1. **Charge of the Aircraft.** The Commanding Officer of a ship or unit to whom an aircraft commander has reported an accident or forced landing is to take charge of the aircraft forthwith and is to issue such orders to the aircraft commander as may be necessary.
2. **Instructions.** The Commanding Officer of the ship or unit to which the aircraft commander belongs is, until such time as the latter reports to them, to issue any necessary instructions with regard to the aircraft commander through the officer temporarily in command of the aircraft commander.
3. **Regulations.** The Commanding Officer of the ship or unit to which the report of the forced landing or accident has been made is responsible for taking action under relevant orders in the MRP including the Manual of Post-Crash Management, and JSP 751 *Joint Casualty and Compassionate Policy and Procedures*.
4. **Guarding of Wreckage.** The Commanding Officer responsible for the aircraft (whether it be the Commanding Officer of the parent unit or the Commanding Officer to whom the accident has been reported) is responsible, until formally relieved, for the following:
  - a. Guarding the wreckage, as detailed in the MRP until it is released by the President of the Service Inquiry (SI) Defence AIB or Dir FGen (NAvn) as appropriate.

- b. Ensuring that wreckage is not disturbed, except to save life or at the specific request of the Police.
- c. Cordoning off the wreckage pending the arrival of the Defence AIB and Service Inquiry personnel. The Service Inquiry President, Aircraft Recovery Officer (ARO) or Defence AIB may specify additional cordon measures when they arrive on site.
- d. Controlling access to the site to prevent hazard from unexpended ordnance or crash products.

#### **J.4410. Spare.**

#### **J.4411. Use of Privately-Owned Aircraft for Duty Journeys**

1. Subject to JSP 752, Service personnel who own private aircraft and who are in possession of a current civil pilot's licence for the aircraft type may be granted permission by their Commanding Officers to fly their private aircraft on approved duty journeys instead of using other means of transport. Such permission is not to be given unless the following conditions are fulfilled:

- a. **Insurance.** The use of the aircraft must be covered by a comprehensive insurance against accidents to the assured, against bodily injury to, or death of, third parties including passengers, and against damage to the property of third parties including passengers. The pilot must also ensure that the insurance policy covers the use of the aircraft on official business and that it is not held to be invalidated by the carriage of official passengers in respect of whom an additional allowance is admissible. The policy must be suitably endorsed to this effect or on appropriate assurance in writing obtained from the insurers. (Loss of or damage to the aircraft is to remain the responsibility of the owner and no claim on that account against the Ministry of Defence is to be admitted.)
- b. **Undertaking.** A signed undertaking must be obtained from the pilot in the following terms:

"To the Secretary of State for Defence: I understand and agree that the following are conditions of my being granted permission to use a private aircraft in the course of my employment as a person in the service of the Crown and of my being eligible to claim an allowance for such use of a private aircraft:

(1) That in the event of a claim being made (whether by legal proceedings or otherwise) that the Crown is liable to any person for injury (including death), loss or damage sustained directly or indirectly in consequence of such use of a private aircraft:

- (a) will indemnify the Crown against all compensation, damages, costs, charges and expenses paid or incurred by the Crown in respect of that claim, and

(b) will accordingly repay to the Crown any sums the Crown may disburse by reason of the claim and will pay the Crown all costs and expenses incurred by the Crown in dealing with the claim, including the costs and expenses of legal proceedings.

(2) That my liability by virtue of the foregoing conditions shall be covered by a policy or policies of insurance in terms approved by the Ministry of Defence (Claims 4B).'

c. **Insurance Company Undertaking.** An undertaking must be obtained from the insurance company that it will indemnify the Crown in the event of a claim being made against the Crown as the insured's employer, to the same extent as the pilot has agreed to indemnify the Crown, on the understanding that the insurers are allowed to retain control of the claim. The policy holder must, therefore, ensure that the insurance company includes a paragraph embodying this additional undertaking in any endorsement placed on the policy to cover risks when using the aircraft on official business.

d. **Inspection and Certification.** The aircraft and its installations must be inspected and certified as in all respects airworthy by a competent person within 24 hours before the flight. Certification by the appropriate tradesman, either AIS qualified or an engineer not lower in rank than Petty Officer RN or Sergeant, is to be regarded as satisfying this condition.

2. **Form of Permission.** Permission under Clause 1 above is to be given by the Commanding Officer before each particular flight is undertaken, in the following form:

*'I hereby give .....permission to fly their private aircraft on a duty journey on .....from.....to, ..... I hereby certify that this is an approved duty journey and the nature of the duty is as follows .....*

*I have satisfied myself that the pilot's private aircraft is insured and that the Ministry of Defence has approved the insurance requirements covered by paras. 1a and 1c. I have further satisfied myself that the aircraft has been properly maintained and inspected as required by BR 2, The Queen's Regulations for the Royal Navy, J.4411 sub-para. 1d.'*

The completed document and also the signed undertaking required by sub-para. 1b are to be retained by the Commanding Officer. A copy of the signed undertaking is to be forwarded to the Ministry of Defence (Claims 4B) for retention.

3. **Borrowed Aircraft.** Under no circumstances is permission to be given to pilot borrowed aircraft on a duty journey.

4. **Service Passengers.** Permission to pilot private aircraft on duty journeys is to be confined to Service personnel qualified as pilots under the terms contained in MRP RA 2101 (Entitlement to Conduct Flying Duties) Subject to the MRP however, permission may be granted by Commanding Officers in suitable cases for Service personnel of any branch to be carried as duty passengers. No passengers other than Service personnel travelling on duty are to be carried on duty journeys. In such cases, the certificate in Clause 2 above is to be extended as follows:

*'I further give permission for the following Service passengers to be carried on the flight ..... the nature of their duty being as follows: .....*

5. **Mileage Allowance.** Mileage allowances as for private motor vehicles may be claimed for private aircraft used for duty journeys, as laid down in DINs.

6. **Charges.** The use of private aircraft for duty journeys is not to entitle the owner to the free use of petrol, oil or other stores, or to the maintenance of the aircraft at public expense. Charges for landing, navigation and parking may be made under the terms of the relevant DINs. No charge, however, is to be made for the inspection referred to in Clause 1d above, provided that this involves no extra expense to public funds.

7. **Conditions.** In order not to prejudice claims in respect of disability or death arising from an accident occurring during a duty journey, or in respect of claims for retired pay and pension, widows' or dependants' awards, sick leave and medical treatment, it is essential that:

- a. All the conditions laid down in the MRP and Clauses 1, 2 and 3 of this Article, are fulfilled;
- b. The accident was not due to the faulty maintenance of the aircraft;



- c. The journey was one for which mileage allowance is admissible.

8. **Type of Flight.** For the purposes of a duty journey, the provisions of this regulation are to apply to flights within Great Britain or Northern Ireland or within a station or Command abroad. They are not necessarily to apply to flights from the British Isles to a station or Command abroad or vice versa, nor to inter-station or inter-Command flights abroad. Special conditions are to be laid down for such flights according to the special circumstances and they are normally to be undertaken at the Serviceman's own risk.

9. For the purposes of this regulation, a flight is not to be regarded as a duty journey if Service personnel are proceeding between their home and their normal place of duty.

10. **Insurance.** It should be noted that:

- a. The cover for third-party risks where called for in this Article must be for a minimum of £250,000 in respect of any one incident.

- b. The following exclusions usually contained in third-party insurance policies may be allowed:

- (1) Any person in the employment of the insured.

- (2) Any member of the household or family of the insured.

- (3) Injury (fatal or non-fatal) to any person whilst entering into, being carried in, or alighting from the aircraft.

- (4) Pilot or member of the aircraft, or any person working in, on, or about the aircraft.

- (5) Spectators at an aerodrome or flying ground at public aviation meetings, unless attendance at such meetings in a private aircraft is on duty, when this risk must be specially covered.

#### **J.4412. Civil Flying Use of MOD Airfields**

1. Civil aircraft may use MOD airfields only in the circumstances and under conditions laid down in MRP RA 2415 and 'Use of British Military Airfields by British and Foreign Civil Aircraft' (previously JSP 360) unless otherwise authorized by the Ministry of Defence.

#### **J.4413. Parachute Descents**

1. Parachute descents, other than forced descents, are to be made only by:

- a. Trained parachutists whose duties require it.

- b. Service personnel on authorized parachute-training courses at No. 1 Parachute Training School, or at Foreign or Commonwealth Military Parachute Schools with the authority of MOD(ATF4).

2. Experimental parachute descents are to be made only on the authority of the Ministry of Defence (MAP 12d or ATF4).
3. The prior approval of the Commanding Officer concerned is required for all cases under Clauses 1 and 2 above.
4. This regulation relates to duty parachute descents from Service aircraft. It does not refer to sport parachuting or adventurous training free-fall parachuting at Joint Service Parachute Centres; the orders and instructions for these activities are given in Defence Council Instructions.

**4414–4450. Unallocated**

## SECTION II - SPECIAL AND PASSENGER FLIGHTS



### Notes:

1. *In this Section the term 'naval aircraft' includes aircraft, whether or not belonging to the RN, which are operated by the RN for Service purposes. 'Service aircraft' means British Service aircraft with a similar qualification. Flights in civil aircraft under contract for trooping purposes are dealt with in JSP 760, Regulations for Leave and other types of Absences.*
2. *Passenger Flying Rules in QRRNs should be read in conjunction with MRPs and BRd 767/766.*

### J.4451. Spare

### J.4452. Passenger Flights for Members of the Regular Services, the Auxiliary Services and the Reserves

1. Regulations for Passenger Flights for Members of the Regular Services, the Auxiliary Services and the Reserves are contained in BRd 767 NAO 2340 and MRP RA 2340.

### J.4453. Passenger Flights for Members of the Cadet Forces

1. Regulations for Passenger Flights for Members of the Cadet Forces are contained in BRd 767 NAO 2340 and MRP RA 2340.

### J.4454. Spare

### J.4455. Flights for Civilians

1. **Policy.** Commanding Officers<sup>1</sup> not below the rank of Commander RN, Lieutenant-Colonel or Wing Commander may approve a passage for any civilian in a British Service aircraft provided they are satisfied that the Service or the British national interest is furthered by the flight. Where a passage is not justified in the Service or national interest, but other good reasons exist, prior Ministry of Defence approval must be obtained,<sup>2</sup> except where a standing authority already exists. There are, however, special arrangements for certain categories of flights which are detailed below. The officer authorizing the flight is to satisfy themselves that it has been approved accordingly.
2. **National Interest.** Passages for civilians in the British national interest must be reported to the Ministry of Defence, if possible in advance.
3. **Duty Journeys.**
  - a. Crown Servants - Duty Journeys. Passages for Crown Servants on duty may be approved in accordance with Clause 1 on production of written authority in the form as given in Clause 5 from the employing department concerned.

<sup>1</sup> Includes Force Commanders and Commanders (Air)

<sup>2</sup> Dir FGen (NAvn) as ODH for the Navy Command Aircraft Operating Authority, is to be informed in this situation.

b. (Navy only) Duty Flights in Helicopters Attached to RFAs. The Commanding Officer of an RFA may, in consultation with the Flight Commander, approve flights for crew members and civilian stores staff when required to fly on duty, such as transferring to HM ships to advise on VERTREP operations etc. Air experience flights may also be approved for RFA personnel in support of this requirement. All air experience flights are to be strictly controlled and are not to be conducted on operational sorties.

4. **Crown Servants - Crew Duties.** When there is a requirement for scientific, technical or meteorological civilian staff to fulfil specified crew duties in Service aircraft, they are to have written authority in the form given in Clause 5, signed by a Commanding Officer, Director or Superintendent, not below the rank of Commander RN, Lieutenant-Colonel or Wing Commander, or the master of a Royal Fleet Auxiliary.

5. **Duty Certificate.** Written authority under Clauses 3a and 4 above is to be given in the following terms:

*The Commanding Officer,*

*Service unit.....*

*Mr ..... who is a member of the.....*

*(Department, etc.) of the Ministry of Defence is required to fly on duty for the purpose of.....*

*Signature.....*

*Rank or Grade.....*

6. **Contractors' Staffs - Flights Which may be Approved.** Flights for MOD contractors and their staff who are employed directly on the repair maintenance, modification or support of Service aircraft or Ships (including RFAs) may be approved by an officer of the rank of Commander, Lieutenant Colonel or Wing Commander. The carriage of contractors' staff deemed essential to support detachments for the recovery of diverted aircraft or for the recording of technical data during flight tests, would automatically qualify for approval. Where the purpose of the flight does not adhere strictly to these categories, the approving officer should satisfy themselves that it is nevertheless within the Service interest and that such flights are only undertaken on an opportunity/spare capacity basis at no extra cost to the public.

7. **Police, Fire Services and Civilian Rescue Agencies.** Commanding Officers of Service establishments may authorize the use of helicopters and fixed-wing aircraft under their control to carry police, local authority fire service personnel and members of recognized civilian rescue agencies in an emergency or for training in this role where approved by the Ministry of Defence.

8. **Ambulance Services.** In exceptional circumstances, helicopters or fixed-wing aircraft may be used to carry to hospital civilian patients who are seriously ill and for whom no other suitable form of transport is available. Arrangements between the Ministry of Defence and the Department of Health and Social Security for dealing with requests by local health authorities in the United Kingdom are published in MRP RA 2340 (Carriage of Passengers on Military Aircraft). Arrangements for carriage of non-entitled patients in RAF aircraft, other than under the Department of Health and Social Security scheme, are contained in AP 3394, *The RAF Aeromedical Evacuation Service Section 1*.

9. **Aid to the Civil Community.** Flights by Service aircraft may be authorized to assist the civil community in cases of emergency. Detailed instructions are contained in JDP 02: Operations in the UK: The Defence Contribution to Resilience. The Ministry of Defence is to be informed of all such flights as soon as possible.

10. **Representatives of the Press, Radio and Television.** Passages for representatives of the Press, radio or television may be approved, provided there is a Service interest in the subject being reported which would bring beneficial publicity to the Services by the following authorities:

- RN Commanding Officers not below the rank of Commander.<sup>3</sup>
- Army The Public Relations staff at Command or Formation Headquarters.
- RAF Ministry of Defence (Director of Public Relations (RAF)).

Requests for passages in other circumstances are to be referred to the appropriate Director of Public Relations, Ministry of Defence, for prior approval.

11. **Conveyance of Civilians in Aircraft Allotted for Personal Use.** Civilians properly sponsored by an appropriate British Government authority, or any other person whose passage is approved by the senior officer concerned as being in the Service or British national interest, may be transported in Service aircraft personally allotted to or, if held on a pool basis, used by Fleet Commanders, Flag Officers, General Officers Commanding and Air Officers Commanding or in aircraft fully chartered to the Services. Responsibility for the passenger list of such aircraft rests with the senior officer or charterer concerned.

12. **Spouses of Senior Officers.** Applications for spouses of senior officers to accompany their serving partner who are travelling on duty in Service aircraft are to be dealt with in accordance with the instructions issued to all Fleet Commanders.

#### **J.4456. Passenger Flights by Commonwealth or Foreign Service Personnel in British Service Aircraft or by British Service Personnel in Commonwealth or Foreign Service Aircraft**

1. Commanding Officers<sup>4</sup> not below the rank of Commander RN, Lieutenant-Colonel or Wing Commander, may give permission for members of Commonwealth or foreign naval, military or air forces whose conveyance is in the interests of the British Services to fly as passengers in British Service aircraft under their command.

2. Commanding Officers<sup>5</sup>, not below the rank of Commander RN, Lieutenant-Colonel or Wing Commander may authorize British Service personnel to accept invitations to fly as passengers in Commonwealth or foreign Service aircraft. Personnel carried in Commonwealth or foreign Service aircraft with due authority under this regulation will, in the event of injury or death, be dealt with for purposes of non-effective benefits as if the aircraft had been a British Service aircraft. An assurance to this effect may be given, if required, by the officer authorizing the flight.

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<sup>3</sup> Includes Force Commanders and Commanders (Air)

<sup>4</sup> Includes Force Commanders and Commanders (Air)

<sup>5</sup> Includes Force Commanders and Commanders (Air)

3. Permission for members of the British Forces to accept invitations to travel on duty in Service aircraft of the countries participating in the North Atlantic Treaty Organization may be given by the Senior British Officer in a recognized group or division of that Organization, provided that they are not below the rank of Commander RN, Lieutenant-Colonel or Wing Commander. Indemnities are not required for passages in Service aircraft of NATO countries.

4. The following arrangements for permitting persons attending NATO exercises to fly in aircraft of nations other than their own have been agreed by all NATO countries:

a. Persons acting as observers or liaison officers, or in other similar capacities, may be permitted to fly in aircraft of nations other than their own during the period of the exercise when this would assist the performance of their duties as observers, etc.

b. Subject to national security regulations, the persons referred to in para. 4a may be allowed to fly in any aircraft participating in the exercise. The authority to approve such passages rests with the Exercise Commanders who may, at their discretion, delegate it to local naval, military or air commanders. The officer authorizing the flight is to satisfy themselves that it has been approved accordingly.

#### **J.4457. Non-passenger flights for Commonwealth or Foreign Service Personnel in British Service Aircraft and for British Service Personnel in Commonwealth or Foreign Service Aircraft**

1. When it is considered that the flight or flights would serve a definite British Service interest, a Commanding Officer not below the rank of Captain RN, Colonel or Group Captain, may, at their discretion, and subject to the conditions laid down in Clause 2 below:

a. Grant permission to suitably qualified members of Commonwealth or foreign naval, military and air forces to fly British Service aircraft; and

b. Authorize suitably qualified members of their own Service to fly Commonwealth or foreign Service aircraft.

2. Flights are not to be authorized unless:

a. The Government of the country to which the aircrew belong will accept full financial responsibility for its own members in respect of:

(1) Death or injury.

(2) Loss of, or damage to, uniform and personal equipment.

b. The Government owning the aircraft will accept full financial liability for:

(1) Injury to the person or damage to the property of third parties irrespective of the nationality of the pilot or the precise circumstances in which the injury or damage was caused.

(2) Loss of or damage to its own equipment and property.

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The officer authorising the flight is to satisfy themselves that it has been approved accordingly.

3. Before granting permission under para. 1a, the Commanding Officer concerned is to obtain from a responsible authority or the Commonwealth or foreign government or Service concerned a written acceptance of the conditions laid down in para. 2a and an understanding that reciprocal facilities will, should occasion arise, be afforded to members of the British Forces to fly corresponding types of aircraft in the service of the Commonwealth or foreign government concerned, with acceptance by that government of the risks involved provided for in para. 2b. Before authorizing flights under para. 1b, the Commanding Officer is to obtain written acceptance of the conditions laid down in para. 2b and may, if necessary, give an assurance regarding reciprocal facilities.

4. Member countries of the North Atlantic Treaty Organisation may ask that, instead of making the arrangements at Clause 2 above, it should be agreed that the flights will be covered by the NATO Status of Forces Agreement. Ministry of Defence guidance should be sought in these cases and in any other case in which difficulty is encountered in securing agreement to the conditions set out above, or in which special considerations are thought to arise.

### **4458. Flights for Commonwealth and Foreign Service Personnel in British Service Aircraft**

1. Form S.1245K has been removed.

**CHAPTER 45****COLLISIONS, GROUNDINGS AND OTHER NAVIGATIONAL INCIDENTS**

*(MOD Sponsor: NAVY SHIPS- NAVSURFSO2)*

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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## CHAPTER 45

## COLLISIONS, GROUNDINGS AND OTHER NAVIGATIONAL INCIDENTS

## 4501. General

1. The instructions in this section relate to the action to be taken by Commanding Officers of HM ships (including Royal Fleet Auxiliaries and other naval vessels owned or operated on behalf of the Crown) following a collision, grounding or other navigational incident including contraventions of the Rule of the Road. The instructions are to be read in conjunction with Annex 59B, NSG05 (BR 10) and with **5928–5932**, when a party other than the Ministry of Defence is involved. The instructions in this section also relate to the action to be taken by Fleet Commander following notification of an incident. These instructions are additional to any incident reporting that may be directed in operational or other orders.

2. **Incidents to be Reported.** The instructions apply to incidents involving HM ships in respect of the following:

- a. Incidents in which damage is caused to one of HM ships by either the movement of HM ship or by a vessel not owned by the Ministry of Defence.
- b. Incidents in which damage is caused by one of HM ships to property or another vessel, including HM ships and property owned by the Ministry of Defence.
- c. Incidents as in (a) and (b) where damage is caused by the wash of a vessel or by an appendage of a ship as opposed to the hull, e.g. damage caused to or by anchors, mooring lines, mine-sweeping gear, gangways etc.
- d. Near miss incidents or cases of alleged damage to property not owned by the Ministry of Defence where one of HM ships comes into such close proximity to another vessel or a structure that there is a possibility of damage having been done (see paragraph 6 of Annex 59B and NSG05).
- e. Towage incidents, where damage is caused to or by commercial tug which has been hired to tow one of HM ships (see paragraph 7 of Annex 59B).
- f. Groundings, including collisions with rocks, river banks, canal walls, etc.
- g. Rule of the Road near miss incidents where the RN/RFA vessel may in any way be responsible. ( NSG05).

3. **Damage to Fishing Gear.** If damage is known to have been caused to fishing gear through the navigation or operation of one of HM ships, the brief facts should be reported promptly to the authorities specified in NSG05. Occasions when ships may have caused damage to fishing gear are to be carefully noted as instructed in the Fishing Vessel Log (S. 1176).

## **4502. Immediate Action after Collision with a Ship or Property not Owned by the Ministry of Defence**

1. **Mutual Assistance.** The Commanding Officer of a HM ship which has collided with another vessel shall render assistance to the other ship, her crew and passengers in so far as is possible without serious danger to HM ship, her crew or her passengers.
2. **Exchange of Particulars.** Commanding Officers should:
  - a. Provide the Master or person in charge of the other vessel with the name of HM ship and inform them that the ship is owned or chartered by the Ministry of Defence, London.
  - b. Obtain the name of the other vessel, her port of registry and, if appropriate, her next port of call.
  - c. Assure the Master that representatives of the vessel will be given an opportunity to attend a joint survey of any damage sustained by HM ship in the incident.
  - d. If appropriate, give the Master the name of the port for which HM ship is bound.
  - e. Obtain the name, address, telephone number and email address of the representatives of the vessel to whom the appropriate authority should refer about any possible claim. (see also **4505** and paragraphs 5 and 10 of Annex 59B).
3. **HM Ships in Collision with Static Property.** Commanding Officers should:
  - a. Provide the owners of the structure or property or their representatives with the name of HM ship and inform them that the ship is owned by the Ministry of Defence, London.
  - b. Obtain the name, address and telephone number and email address of the owners of the structure or property or their agents.
4. **Initial Report.** An initial report is to be made as soon as possible after the incident (see NSG05, **4505**).
5. **Liability.** The Commanding Officer of HM ship is to ensure that the owner's representative(s) of a vessel, structure or property damaged by HM ship are aware that damage has been, or may have been, caused. It is important, however, that the Commanding Officer does not admit liability for the incident and, except in cases where there is no doubt that the damage is cosmetic or superficial, does not admit to the *extent of the damage*. It should be made clear, therefore, that any contact with the representative(s) of the owners of the damaged vessel, structure or property is being made *without prejudice*. If the Commanding Officer is asked to sign a declaration that HM ship is liable for the damage caused in the incident, they are not to do so although they may admit, in writing if required, **without prejudice** and without specifying the extent of the damage caused, that HM ship collided with the vessel, structure or property in question. Commanding Officers may confirm that the Ministry of Defence will pay all fair and reasonable costs for which it is legally liable.

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6. **Inspection of Damage.** Commanding Officers should, if possible:
  - a. Inspect the damage with representatives of the owners of the other vessel, structure or property (see **4508.2**).
  - b. List the extent of the damage.
  - c. Take photographs of the damage.

### **4503. Immediate Action after Collision by a Ship or Property not Owned by the Ministry of Defence**

1. **Exchange of Particulars,** (see **4502.2**)
2. **Report.** An initial report is to be made as soon as possible after the incident (see NSG05, **4505**).
3. **Inspection of Damage.** (see **4502.6**).

### **4504. Immediate Action after Collision with a Ship or Property Owned by the Ministry of Defence**

1. **Mutual Assistance.** (see **4502.1**)
2. **Report.** An initial report is to be made as soon as possible after the incident (see NSG05, **4505**).
3. **Inspection of Damage.** When one of HM ships causes damage to another or to property owned by the Ministry of Defence, the Commanding Officer should, if possible:
  - a. Inspect the damage with the Commanding Officer of the other vessel or the authority responsible for the property.
  - b. List the extent of the damage to vessels and property.
  - c. Take photographs of the damage.

### **4505. Report and Incident Appraisal**

1. An immediate report of all incidents are to be made iaw NSG05.

### **4506. Response to Initial Report/Staffing Route**

1. On receipt of the initial report NAVY COMMAND will inform all interested authorities, whether a Form S232 and/or an ISI is required for the incident. Ship's Investigation records and covering letter etc. are to be submitted via NLIMS iaw NSG05. Other appropriate authorities may be informed of the outcome subsequently by the Fleet Commander.

2. Response to an initial report will normally be:
  - a. **No Further Action.** The incident will not result in pursuit or defence of a claim. The incident is of a minor nature and does not warrant administrative action and the Incident Appraisal has provided sufficient detail to capture lessons. Records of the incident are required to be submitted iaw NSG05.
  - b. **Forward a Ship's Investigation via NLIMS iaw NSG05 and Covering Letter.** The incident will not result in pursuit or defence of a claim but the causes require investigation and, if applicable, administrative or disciplinary action. This will always be required as a pre-cursor to any Service Inquiry action.
3. NAVY COMMAND should consider the following when deciding the response to an initial signal:
  - a. HM ships should be instructed to raise Form S.232 for all incidents involving ships or property not owned by the Ministry of Defence. To reduce administrative burden NLIMS should be used.
  - b. HM ships may be instructed to conduct an immediate investigation into the circumstances surrounding the incident if appropriate.
  - c. Consideration should be given to convening a Service Inquiry for incidents involving collision (not berthing/unberthing), grounding, serious damage, death or serious injury, and cases where serious professional negligence is suspected (see **5302**).
  - d. Investigations and records from serious incidents including those likely to result in investigation by national authority, public interest and scrutiny, Courts Martial or Fleet Commander's censure should be forwarded to the Fleet Commander.

#### **4507. Written Reports into an Incident**

1. **Ship's Investigations.** A Ship's Investigation should be completed in addition to the NLIMS report as soon as possible after the incident, but only when considered necessary by the Commanding Officer or when ordered by the NAVY COMMAND. The investigation report is to contain a narrative of the events connected with the navigational incident and should include any remarks the Commanding Officer considers relevant. The investigation report is to cover, in particular, the following points, where applicable:
  - a. In the case of a collision:
    - (1) Whether the lights exhibited and sound signals made by each vessel in collision complied with the International Regulations for Preventing Collisions at Sea, and whether there was any obstruction in the way of lights or inefficiency in making sound signals.
    - (2) The use made of radar if HM ship was in collision.

## BRd 2

(3) Whether blame is attributable to those on board HM ship and, if so, to whom and in what respect, or whether it is attributable to the other vessel or another party (legal advice should be sought in death/serious injury cases).

(4) Screen shots of WECDIS should be extracted and attached as pictures in the NLIM format.

- b. Whether a pilot was on board or tugs were being used at the time of the incident.
- c. Any classified information omitted from Form S.232 (if applicable).
- d. Whether a Service Inquiry is proposed.
- e. Whether the actions of personnel or vessels involved, either directly or indirectly, were contributory factors. However, Ship's Investigations/RM Unit Inquiries should not attribute blame (see JSP 832 Article 5.9 and Chapter 5 Annex C), or express a view on legal liability whether criminal or civil, but should concentrate on establishing the facts. The facts may have clear and adverse implications for one or more people, and the Ship's Investigation/RM Unit Inquiry should not shrink from stating the facts but, language which is emotive, or which is judgmental beyond what is necessary to establish the relevant events and their causes should be avoided. If in doubt legal advice should be sought.
- f. Any disciplinary action which has been taken or is proposed.
- g. Any lessons identified and precautions which should be taken to prevent recurrence.
- h. Any perceived shortcomings or strengths in materials, training, documentation, safety devices, equipment, manpower, planning, procedures and execution.
- i. Any injuries sustained.

2. A Ship's Investigation/RM Unit Inquiry may provide information which leads to a disciplinary or criminal investigation. The subsequent Service Police investigation may result in the recommendation of charges, but this is a separate issue to the conduct of the Ship's Investigation/RM Unit Inquiry itself.

3. **Form S.232.** A Form S.232 is to be raised when ordered by NAVY COMMAND. In the event of an incident involving non-Crown assets/personnel it may be prudent for the Commanding Officer of a Ship to ensure the relevant information is recorded in the event that a Form S.232 is called for at a later date

- a. NCHQ Fleet Navigator should be contacted to determine the submission routine for the original Form S.232 which will be forwarded to the Government Legal Department (GLD) either by the originating unit or NCHQ. Ships should not attempt to contact the GLD independantly as any legal advice should come initially from NCHQ Legad team.

4. Answers on Form S.232 should be factual and relate strictly to the questions asked; they should be self contained and not include references to other documents or letters. Form S.232 is to be treated as 'unclassified'.

Any classified information relevant to the incident, such as the use of classified equipments or techniques, is to be included only in the Ship's Investigation (to be classified accordingly).

5. **Other Documents.** The following documents are to be enclosed with the NLIM and S.232:

- a. Diagrams, including WECDIS screen shots, required by the instructions in Form S.232.
- b. Copies of extracts from the documents listed in BR 45(4), Manual of Navigation which the Commanding Officer considers will clarify the report of the incident. Original documents, magnetic and digital media are not to be forwarded but are to be preserved as in sub para 6 below.
- c. In cases of collisions with vessels or static property the original bridge tape transcript and/or MCA readout and WECDIS voyage data is to be forwarded. Records are to indicate whether the engines were in Bridge control or Engine Room/Machinery Control Room control.

6. **Damage Control.** Information covering the Damage Control measures implemented after damage sustained in a collision or grounding and on the performance of material and machinery are to be the subject of separate submissions by the ship to NAVY COMMAND CSOE. In addition, such damage reports should be forwarded to the Commanding Officer HMS EXCELLENT (for PHOENIX NBCD School), in accordance with BR 2170, Volume 1.

#### **4508. Incidents Involving Other (non MOD) Parties**

1. This Article refers to incidents for which parties other than the Ministry of Defence may be liable in civil law. Such incidents will generally be collisions between one of HM ships and a merchant vessel, where the merchant vessel was underway at the time of collision and where the Ministry of Defence may have a claim against the owners of the other vessel. In such cases, the procedures outlined below are to be followed to ensure that the interests of the Ministry of Defence in any subsequent litigation proceedings are not jeopardised.

2. **Joint Survey.**

- a. Detailed guidance about a joint survey is given in Annex 59B, paragraphs 14-22.
- b. Collision damage to HM ship or to naval armament, stores, Service kit or personal effects should be left untouched until after the joint survey has been carried out. If this is impracticable, however, photographs should be taken which show clearly the extent of the damage.
- c. Care is to be taken to ensure that the surveyor representing the merchant vessel or an independent surveyor does not sight classified equipment or material. If it is thereby impossible for the joint survey to be carried out, advice should be sought from Navy Command.

3. **Costing of Repairs to HM Ship.**

a. **Repairs by officers and crew of HM ship.** If the damage is repaired by the staff of HM ship, the Commanding Officer is to ensure that the repairs are costed and that a detailed statement of the costs is prepared in accordance with **8505** and is forwarded through the appropriate authorities to the Ministry of Defence Directorate of Safety & Claims. If the repairs are temporary and permanent repairs are to be carried out by MoD approved contractor, the Commanding Officer is to ensure that costs of the temporary repair are forwarded to the Ministry of Defence Directorate of Safety & Claims with copies provided to the relevant Defence Equipment & Support group for the attention of the Platform Manager.

b. **Repairs by Contractors.** If external assistance is required to repair the damage, the Commanding Officer is to ensure that the Platform Authority is aware of the exact extent of the damage caused by the other vessel and of the requirement for the repairs to the damage to be costed. Details of the full cost of repairs, including all ancillary costs and expenses, travel and subsistence costs, should be forwarded as soon as practicable to the Ministry of Defence Directorate of Safety & Claims.

4. **Statements for the Treasury Solicitor.** In cases where liability is uncertain, as in collisions where both ships were underway, it may be necessary for a representative of the Treasury Solicitor's Department to attend on board HM ship to obtain information and evidence whilst the events are still fresh in the minds of witnesses. In such cases the representatives of the Treasury Solicitor's Department will contact the Commanding Officer of HM ship direct to arrange the time and place for the statements to be taken. The statements taken by the Treasury Solicitor in this way will be used solely for the purpose of the litigation between the Ministry of Defence and the owners of the merchant vessel. Such statements are not to be confused with, and are in addition to, statements enclosed with the Form S.232 or any statements required by HM ship's administrative authority to inquire into the incident.

5. **Loss or Damage to Stores.** Complete lists of all naval armament, victualling and medical stores lost or damaged as a consequence of the incident or while any repairs are being effected by the staff of HM ship are to be prepared at the earliest possible moment and sent to the Ministry of Defence Directorate of Safety & Claims. The lists need not be valued, but should be accompanied by a statement giving the proportion of the original value at the time of loss.

6. **Loss or Damage to Service Kit and Personal Effects.** Instructions for dealing with claims for compensation from personnel for Service kit and personal effects lost or damaged as a result of a collision or while effecting repairs are laid down in **5904-5908** and as amplified by current DINs.

7. **Loss of Use of HM Ship.** If as a result of the incident the planned programme of HM ship is affected in such a way that the Ministry of Defence is temporarily deprived of the use of the damaged HM ship then the Ministry of Defence has a valid claim against the other vessel for this loss of use. The quantum of this claim will be calculated by Ministry of Defence, Directorate of Safety & Claims, but to enable the claim to be calculated correctly, it is essential that the Commanding Officer of HM ship forwards the following information to the Ministry of Defence Directorate of Safety & Claims as soon as HM ship first resumes her operational role after repairs to the incident damage:



- a. Actual programme of HM ship from the date of incident to the date of the resumption of her operational role, giving dates of the passages to and from dockyard, and of repairs, trials work-up etc.
- b. Original planned programme during the period in a above, giving the date of the periods originally planned for patrol, maintenance, leave etc.
- c. Number of officers and crew of HM ship temporarily transferred to other vessels or establishments during the period in a above giving the appropriate dates, together with the total numbers of the officers and of the crew in HM ship before the incident.

#### **4509. Action after Collision by Ships Operated on Behalf of the Crown, but not Owned by the Ministry of Defence (Leased Warships)**

1. **General.** The general instructions at article 4501 apply to ships leased for operation by the Royal Navy. In addition, ALL incidents, including those concerning berthing and/or unberthing are to be reported.
2. **Initial Report.** An initial report is to be made as soon as possible after the incident via NLIM.
3. **Liability.** The Commanding Officer of HM Ship is to ensure that the Owner's representative(s) are aware that damage has been, or may have been, caused. It is important, however, that the Commanding Officer does not admit liability for the incident and, except in cases where there is no doubt that the damage is cosmetic or superficial, does not admit to the extent of the damage. It should be made clear, therefore, that any contact with the representative(s) of the owner is being made without prejudice. The Commanding Officer may confirm that the Ministry Of Defence will pay all fair and reasonable costs for which it is legally liable.
4. **Inspection of Damage.** Commanding Officers should, if possible:
  - a. Inspect the damage to their ship with representative(s) of the owner.
  - b. List the extent of the damage.
  - c. Take photographs of the damage.
5. **Classification Society Structural Survey.** Commanding Officers should expect (particularly in cases of significant structural damage) requests by the Owner's representative(s) for Structural Survey as required under Classification Society Rules. This is an integral requirement of the safety assurance process, and is not conducted in anyway to ascertain blame.



## CHAPTER 46

### SALVAGE AND SPECIAL SERVICES

(MOD Sponsor: DJEP-Common Law Claims & Policy)

This chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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**Note:** In this chapter 'HM ships and (or) vessels' includes all non-commissioned vessels and craft in, or used for, the naval service.

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## CHAPTER 46

### SALVAGE AND SPECIAL SERVICES

#### SECTION I - PRIZE MONEY AND AWARDS FOR SALVAGE AND SPECIAL SERVICES - GENERAL

##### **4601. Prize Money**

1. The term 'prize money' includes all awards distributable under the Naval Agency and Distribution Act, 1864, i.e.:

- a. Salvage (Section IV).
- b. Awards for seizures under the:
  - (1) Prize Acts (see Clause 2).
  - (2) Customs Acts.
  - (3) Slave Trade Acts.
  - (4) Merchant Shipping Act (**7216**).
  - (5) Foreign Enlistment Act (**7215**).
  - (6) Piracy Acts (**7205**).
  - (7) Pacific Islanders Protection Acts.
- c. Awards for any other special service for which any reward is payable.

2. The only award now payable under the Naval Prize Act, 1864, is for prize salvage for the recapture of British property in war. It cannot be claimed if the recaptured vessel has been used as a ship of war by the enemy. In certain circumstances salvage may, however, be granted for the recapture of neutral property and, if the ship or goods are not immediately sent to a Prize Court, the receptor's should obtain any security necessary to safeguard their claims before parting with the property.

##### **4602. Ship's Agent**

1. Under the Naval Agency and Distribution Act, 1864, each of Her Majesty's ships in commission must have a ship's agent to act on its behalf in any claims under **4601**. Those prepared to be ship's agents are named in the Navy List. Those not included in the Navy List are not debarred from appointment if they are qualified under the Act.

2. The Commanding Officer is to appoint a ship's agent on first commissioning, using the wording in Annex 46A. They are to do this by forwarding the instrument of appointment to PPPA (c) for registration by them and for subsequent transmission to the appointee. A record of the appointment is to be kept in the Navigational Date Book.

3. The ship's agent may be changed at any time by the Commanding Officer. Changes are to be reported in accordance with Clause 2. Changes in the command of the ship will not affect the appointment of the ship's agent.

4. When their services are required, the ship's agent is to be given instructions to take the necessary action and be provided with any pertinent information, the prior approval of a Flag Officer or the Ministry of Defence (MOD) being obtained before any classified documents or material are supplied.

5. Commission is payable to the ship's agent at the rate of two and a half percent of the net amount distributable to the ship's company.

#### **4603. Legal Expenses**

1. The Commanding Officer is initially responsible for the legal expenses incurred in any proceedings instituted in any court, or in other action taken by, or on behalf of, the ship under their command, in respect of any matters under **4601**.

2. When the Commanding Officer cannot pay the legal expenses in Clause 1, or make arrangements through the ship's agent to do so, the Supply Officer may advance them public money for the purpose. The advance must not exceed £100. It is to be debited by the Supply Officer against the pay of the Commanding Officer, and reported to the MOD.

3. When the Government Legal Department (GLD) agrees to claim a salvage award for personnel of HM ships or vessels jointly with the MOD claim, he/she will not charge any personnel for their services (see **4645**).

4. The taxed costs and expenses of the claimants, except those ordered to be paid from other sources, are defrayed from an award before it is distributed.

#### **4604. Salvage Claims**

1. Claims for salvage awards for services to private ships are to be made in accordance with Section IV.

#### **4605. Reports to MOD**

1. A report is to be made to the MOD whenever one of Her Majesty's ships or vessels makes a seizure or performs a service entitling it to prize money as in **4601**.

2. The report is to state whether any other ship is entitled to share an award. It is to contain a complete and verified list in duplicate of every person on board at the time of the operation and a list of those in the complement who were absent. The full names and the official numbers of naval ratings and other ranks are to be given.

3. For the reports of salvage services see also **4631** and **4642**.

#### **4606. Expenditure on Stores, etc.**

1. The date vessels or salves are seized is to be inserted in all vouchers for the supply of, or expenditure on, provisions, clothing or stores for the vessels or the salves seized, or for other expenses incurred thereon after seizure.

#### **4607. Money Received**

1. Money received in Her Majesty's ships as rewards for any service referred to in this chapter, including salvage remuneration received before MOD decision about its acceptance (see **4648.1**), which is to be acknowledged 'without prejudice', is to be taken on charge by the Supply Officer in the cash account under the head Suspense Account 805903 'Salvage Awards Awaiting Distribution' and reported immediately to NPP (Accounts) in order that it may be transferred to the Naval Prize Account for distribution.

#### **4608. Distribution of Prize Money and Salvage Awards**

1. All awards of prize money are distributable solely by Non-Public Property Accounts according to the Order in Council relating to them or as the Ministry of Defence may direct. The distribution of prize money as defined in **4601**, other than salvage awards, is governed by Order in Council of 27th April 1918, not reproduced herein.

2. For the distribution of salvage awards see **4648**.

3. Commanding Officers or others distributing prize money, including salvage awards, without authority will be held personally liable to pay for any shares which are omitted, and to make good those inadequately paid.

4. No assignment of prize or salvage money may be made in respect of any advance or consideration.

5. When ready for distribution awards are notified by Announcement in Defence Instructions and Notices (RN). Distribution will normally be made, or authority to distribute given, by Defence Business Services (DBS) without application. If, however, authority to pay those considered eligible is not received within one calendar month of the publication of the award in Defence Instructions and Notices (RN) a claim should be submitted to Non-Public Property Accounts.

6. Shares not claimed, or to which a claim has not been proved to the satisfaction of the MOD, will be deemed to be forfeited six years after the first day of April following the date when the award first became distributable. The MOD may, however, if there is good cause, remit such forfeiture until the relative accounts have been closed finally (i.e. 10 years after the date of distribution).

#### **4609–4620. Unallocated**

## SECTION II - SALVAGE - GENERAL

### J.4621. Salvage

1. The following rules have been framed to indicate the extent to which assistance should be given by any ship or aircraft belonging to the Armed Forces of the Crown to vessels or aircraft in distress and the conditions under which claims for salvage services may be made.

2. Salvage services are voluntary services which save, or help to save a ship, an aircraft, its apparel, cargo or bunkers and stores when in danger, either at sea or in tidal waters or on the shores thereof. The danger does not necessarily have to be imminent: it suffices if, at the time the services are rendered, the ship or aircraft has encountered any danger or misfortune which might expose it to injury or destruction were the services not rendered. (*Navy only*—Services which do not amount to salvage are referred to as 'assistance' in this chapter (See also Annex 46B: *Summary Guide to Salvage*).

3. As a general rule the salvage of a vessel in distress without cargo on board and more than 10 years old is unlikely to be remunerative. Accordingly the salvage of some commercial vessels may cost more than the Ministry is able to recover in salvage awards. Exceptions to this are specialised types of vessel such as dedicated gas or chemical carriers (but see 4624.3) Ro-ro ferries, research vessels and large passenger vessels. Commanding Officers should therefore have regard for the foregoing when considering salvage.

### J.4622. Aircraft

1. The Civil Aviation Act 1982 (Section 87) has applied the law relating to wreck and salvage of life or property to aircraft in, on or over the sea or tidal waters as it applies to vessels. (*Navy only*—The instructions in this chapter apply to the salvage of, or assistance to, aircraft and hovercraft, and to salvage services and assistance by aircraft or hovercraft).

### 4623. Receiver of Wreck

1. Personnel of HM ships and vessels present when vessels are stranded or in distress on the shore of the sea, or in tidal waters, within the United Kingdom, must obey the directions of the Receiver of Wreck or of their authorised representative, and afford every assistance in performing the duties imposed upon them by the Merchant Shipping Acts.

### 4624. General Guidance on Salvage Operations

1. See DIN 2015DIN04-230 marine salvage activity. The MOD Salvage Authority is vested in the office of the Chief Salvage and Mooring Officer which is part of the DES. The organization retains to Marine Salvage Units with specialist staff and equipment held at high readiness to deal with all aspects of marine salvage. The organisation is also funded and enabled to obtain external salvage assistance on a global basis. If the potential exists for an MOD unit to become engaged in salvage activity advice should be sought at the earliest opportunity [RN. FLOO's should be consulted for most recent advice].

2. The presence of professional salvage officers generally increases the chances of successful salvage. Moreover, as courts and arbitrators generally attach great importance to the status, qualifications and salvage experience of the officer in charge of the operation, it is usually advantageous in subsequent claim proceedings if the Salvage Officer has been allowed the fullest possible control of the salvage operations. It may be particularly beneficial for them to be allowed to take control when commercial co-salvors are involved. When a Salvage Officer assists one of Her Majesty's ships or vessels salving a private vessel, or assists a stranded HM ship or vessel, the Chief of Naval Staff/First Sea Lord, or other appropriate operational authority, is, therefore, to consider placing the Salvage Officer in charge of the salvage operation. If the Salvage Officer is so put in charge, a Commanding Officer is in no way relieved of the responsibility for the safety of the ship and crew and is still free to override the Salvage Officer on that account.

3. For ships on fire with cargoes of noxious or toxic chemicals, flammable substances, especially chemical tankers and container ships, Commanding Officers are not normally to take any steps beyond the immediate measures justifiable to save life, in view of the dangers attending the salvage of these ships. Approach to the burning vessel should be made from upwind to avoid danger from fumes and the products of combustion. Similar precautions are necessary when approaching a vessel from which volatile cargo is leaking. They are not normally to attempt to salvage them without first obtaining advice and instructions through the appropriate operational authority.

4. The responsibilities of Salvage Officers and others concerned in Aircraft and Helicopter Salvage Operations are contained in DIN 2015DIN04-230 Salvage, Marine Operations and Emergency Towing.

**4625–4630. Unallocated**

## SECTION III - SALVAGE OF HM SHIPS AND VESSELS

### 4631. Salvage of HM Ships and Vessels in Distress

1. **Resources.** The MOD retains a high readiness Salvage & Marine Operations Team [S&MO] to undertake the salvage and/or recovery of all MOD property requiring salvage services in the maritime environment. When one of Her Majesty's ships or vessels, including those chartered by the MOD or carrying MOD cargo, requires salvage assistance, the nearest available Navy Department salvage resources are to be used whenever possible. Commercial or private assistance is to be accepted only in emergency when Navy Department resources are not available or cannot be contracted in by S&MO within a safe time frame. It must be remembered that accepting commercial or other outside assistance as a salvage service may cost not merely normal tariff rates but much larger salvage payments, even if the services are no more than standing by. Commanding officers are to avoid signing a Lloyds Open Form (LOF) for salvage services unless it is deemed that failure to do so would lead to the loss of the platform or loss of life. LOF can be signed retrospectively to no detriment of either party but once entered into provides a binding commitment which may be damaging to MOD interests.

2. **Report.** Whatever resources are used a full report is to be made as soon as possible.

3. The report, and Form S.232 when applicable, is to be sent by the Commanding Officer direct to the Government Legal Department (GLD) at One Kemble Street, London WC2B 4TS by the quickest means. A copy is to be sent to the appropriate administrative authority or other appropriate Senior Officer who is to send it to Head of Claims, Directorate of Judicial Engagement and Policy, Common Law Claims & Policy (DJEP CLCP) at Ministry of Defence, Level 3, Spine H & I, Main Building, Whitehall, London SW1A 2HB (DJEP-Claims General (MULTI USER)) with comments. Each HM ship or vessel concerned is to report separately.

4. The report is to be complete in itself without reference to any other material. It is to contain a detailed narrative account of events arranged, as far as possible, in chronological order quoting times as well as dates. It is to indicate in particular:

- a. The degree of danger to the HM ship or vessel and the perils from which she was saved;
- b. Special difficulties, dangers, or other hazards encountered by the salvors;
- c. Changes in barometric pressure, wind force and direction, other weather conditions, current or tidal movements, condition of the HM ship or vessel particularly its draught, stability, trim, flooding, impending risks, etc., and other significant features which may affect the value of the services. These details are to be given for the period before, during and after salvage.

5. **Supplementary Reports.** Opinions on the conduct of the operation or of individuals are to be made as entirely separate reports and are not to be included in the factual report to the Treasury Solicitor. The supplementary reports are to be sent through the appropriate Administrative Authority or Senior Officer, Chief of Naval Staff/First Sea Lord to send to the MOD with the main report referred to in the preceding clauses.



6. **Agreements.** No agreement is normally to be made which would bind the MOD either to pay a definite reward or submit to any agreed procedure for determining a reward. In particular, Lloyd's Standard Form of Salvage Agreement (LOF) is not to be signed without reference to the Ministry. The MOD Salvage & Marine Operations Team is to be notified immediately by signal using SIC I2C. Claims which may be received for services rendered are to be forwarded to the MOD by the quickest means.

J.7. **Claims.** No claims will be sanctioned for salvage or recovery of Crown property by any member of Her Majesty's Forces.

(*Navy only*—In the context of this paragraph Her Majesty's Forces includes civilians employed by the Navy Department and includes chartered vessels deemed to be Crown property.)

**4632–4640. Unallocated**

## SECTION IV - SALVAGE OF PRIVATE SHIPS

### 4641. Aid to Ships in Danger

J.1. **Assistance.** The fundamental operating premise is that any assistance offered to recover property is a business transaction in the expectation of reward. Non-contractual salvage is the preferred MOD option as it best protects the MOD primary purpose and avoids the legal obligations of the 'best endeavours' clause of an LOF which could seriously constrain operational capability of the units involved. The MOD is under no legal obligation to save property and caution should be exercised in committing to any operation whose sole purpose is the preservation of private property. Assistance may, subject to the overriding needs of the service, be rendered to a ship or an aircraft endangered at sea, in tidal waters, or on the shores thereof, on occasions where it is within the reasonable power of any ship or aircraft belonging to the Armed Forces of the Crown, or any shore-based personnel who have the appropriate training and resources. (*Navy only*—Unless committed to the task under a LOF it is only necessary that reasonable efforts of personnel are to be used to save and protect property on board any vessel in danger or distress and, if necessary, to remove the property to a place of safety. In the context of determining what is reasonable in the absence of the LOF a thorough consideration would be given to the risks, costs and benefits of expending MOD resource in the absence of a legal obligation to intervene. Though there may be other and overriding considerations in war, in peace public economy and policy require that HM ships and vessels should not take such action if to do so would be to the detriment of any vessel registered in the British Commonwealth present and capable of affording effective help).

2. **Acceptance of MOD Assistance.** When assistance from MOD (Navy) sources is accepted and there is reasonable hope of saving the vessel or her cargo, salvage is to proceed without delay in order to prevent any deterioration in the vessel's position. (See *also* **4621, 4624** and Annex 46B)

3. **Vessel Owner's Rights.** In general, a vessel's owner/representative has a right to decide whether salvage assistance shall be employed and whether salvors whose services they have accepted initially shall subsequently be superseded or supplemented by others. If, after salvage has begun, the Master insists that other salvors should be employed, whether in complete substitution for, or in conjunction with, naval assistance, their wishes are to be complied with and no action is to be taken to prevent the other salvors from taking over either wholly or partly. If the first salvor objects to the action taken, a protest is to be lodged with the Master. Its terms are to be based on the first salvor's assessment of the effects of the intervention on the ultimate success of the venture as a whole.

4. **Aid from Outside Sources.** Third party assistance, especially from vessels better suited to the evolution, should not be refused if the operations might otherwise be jeopardized. The MOD (DES-Salvage & Marine Operations) should be consulted, if time permits, about the terms on which third party assistance is engaged. But if, in emergency, the third party will only assist as a co-salvor under LOF, advice should be sought from MOD before any agreement is made which could be perceived as agreeing an LOF by default.

5. **Derelicts.** For derelicts, i.e., vessels abandoned and deserted at sea by those in charge of them, without hope of recovery, LOF Clause 4 applies, but Clause 3 does not. It is the recognized general rule that the salvor who first takes possession of a derelict has the entire and absolute possession of the vessel, although the salvor is not under a duty to retain exclusive possession in all circumstances. Caution should be exercised before taking any derelict in tow as it may become an inescapable liability and MOD could subsequently incur significant liability for an object of little material worth. A derelict taken in tow by one of Her Majesty's ships or vessels may, therefore, properly remain in naval custody pending agreement with the owners or agents about the terms of salvage and the lodging of satisfactory security (see **4642.3** and **4646**). When there is doubt whether a vessel may be treated as a derelict, full particulars of the circumstances in which it was found abandoned and anything known about the movements of the master and the crew should be reported to the MOD immediately in addition to the general information required by **4644.1**.

J.6. **Disposal.** In any case where the owner of the derelict does not want to take possession of it, reference should be made to the MOD before action is taken to dispose of it, even if such disposal action has been suggested by the owner. In particular no action should be taken to sink or destroy such property without direct instruction from the MOD. If it is considered a danger to navigation then the nearest littoral authority should be advised of all relevant data. For instructions in dealing with unclaimed derelicts see **4661** and **4662**.

7. **Place of Safety.** The 'place of safety' (see LOF Clause 4) is normally determined by agreement between the salvors and the owners or their representatives. If agreement cannot be reached the following considerations should be taken into account:

- a. The condition of the distressed vessel and the time required to make her seaworthy.
- b. The degree of exposure to weather and tidal conditions, and season of the year.
- c. The distance from a port where permanent repairs may be undertaken.

When in doubt or difficulty MOD instructions are to be sought.

8. **Aid from Shore.** Aid which qualifies as a salvage service and for which an award can be claimed can, and wherever practicable should, also be rendered from the shore by units from naval shore establishments, e.g., dockyard fire parties. Particular caution should be used when considering use of shore based staff afloat especially in respect of training and experience in the role they are to be utilized.

## **4642. Terms of Salvage Services**

1. Salvage services by Her Majesty's ships or vessels, including those hired by the MOD on demise charter, and by shore-based units from naval establishments, should be offered on a non-contractual basis. Consideration should be given to whether the service provision falls within the scope of MAC[A] or MAC[P] activity. Specific terms may be agreed with the owners by the MOD or on MOD instructions. Potential exists to use LOF, however, the signing of LOF binds the HM ship and the MOD to use all their resources to successfully complete the salvage contract and no award can be claimed unless and until the casualty and/or her cargo has been brought to a place of safety.

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If an LOF is determined by MOD as the optimum contracting mechanism it is highly desirable that a LOF should be signed by the Owner, Master or Agent of a distressed vessel before the salvage operation commences but caution should be exercised in having the form signed until the true condition of the casualty has been ascertained. When in doubt, advice should be sought from the MOD (DES – Salvage & Marine Operations), operations being commenced meanwhile if necessary for the safety of the casualty. A supply of LOF should be kept on board all vessels likely to require them. The Commanding Officer, or other officer of Her Majesty's ship or vessel concerned who signs LOF should do so on behalf of 'The MOD and personnel of (the ship(s) and/or parties concerned)', the appropriate words being inserted in third line of the form. For salvage by shore-based units the form is to be signed on behalf of 'The MOD and personnel of (the units taking part)'. Irrespective of the number of vessels and/or units taking part, only one Lloyd's form is required for any one salvage operation, and it should normally be signed by the officer in overall charge at the commencement of the operation. If the parties are too numerous to be inserted in line three of the form, they are to be listed under the word 'Annex' to line 3 on the reverse of the form and the words 'parties named in the Annex overleaf written in line three. The signed LOF is to be sent to the MOD, DJEP CLCP.

2. For derelicts, the signature of LOF will be obtained by the Ministry of Defence Legal Adviser.
3. A salvor is entitled to claim for the services which they perform notwithstanding that other salvors eventually take over, provided that the property is ultimately saved.

### **4643. Right to Claim Salvage**

J.1. The right to claim salvage is vested in common law and is inalienable unless contracted out or barred by the actions of the individual. Under section 230(2) of the Merchant Shipping Act 1995, the Crown is entitled to claim salvage in respect of services rendered by any ship or aircraft belonging to or operated by the Crown. Service personnel engaged in salvage operations may make a claim for salvage, but only with the written sanction of the MOD. (*Navy only*—In the context of this paragraph service personnel includes civilians employed by the Navy Department.) No court of law or arbitrator can finally adjudicate on salvage claims without the production of written evidence of the MOD consent. The need for MOD consent, however, does not debar the salvors from taking the preliminary steps which are given below.

2. There is no absolute rule or fixed scale of salvage remuneration. Each claim is dealt with on its merits, taking into account such factors as the degree of danger from which the property is saved, its salvaged value, the risks and responsibilities incurred by the salvors, the time occupied, and skill displayed by them and losses or expenses incurred by them from the time the salvage starts until the distressed vessel or cargo is placed in a position of safety. There is no assurance that any salvage act will recoup the cost of the recovery activity and rewards usually fall around 10% of the residual value of the salvaged materiel.

#### 4644. Reports to the Ministry of Defence

1. **Initial Report.** A short report of all services or assistance to a private vessel (other than purely life-saving services) is to be made immediately to the MOD and the local operational and administrative authorities by signal, irrespective of whether the personnel wish to claim salvage. The signal is to include:

- a. The name of the private vessel, the name of her owners, her port of registry and the nature of her cargo, together with telephone numbers for both owners and agent, telex numbers if available, and any information relating to the insurers of vessel and cargo if applicable;
- b. A brief description of the services which have been, or are being performed (see Clause 2);
- c. The vessel's position. (It would assist the Government Legal Department (GLD) if information be given regarding the port of refuge and estimated time of arrival);
- d. Whether LOF has been signed (see also **4642.2**) or it is desired that this should be done in London;
- e. Whether bail or security has been offered and for what amount (see Note);
- f. If Lloyd's Open Form has not been signed, whether the vessel or property has been arrested (see also **4646**);
- g. Whether any personnel wish to claim;
- h. Whether they wish the GLD to represent them (see **J.4645.2**);
- i. Whether a ship's agent is being instructed and, if so, their name.



**Note.** Advice should always be sought from MOD (Navy), Duty Fleet Controller at Northwood before bail or security is agreed. The Commanding Officer, or other officer of Her Majesty's ship or vessel concerned must not in any circumstances on his own account offer a tow or other salvage assistance free of charge.

2. **Progress Reports.** The report is to be made without delay after the services have started. It is to be supplemented by signaled reports of progress and the prospects of success, giving as good an idea as possible of the material condition of the vessel and cargo. The terms of the salvage agreement will be kept under review at the MOD in the light of progress reports bearing in mind that:

- a. Success is necessary to obtain a salvage award and if on LOF this 'no cure no pay' basis of salvage, there is no right to recover expenses incurred in a salvage enterprise which ultimately fails to preserve a vessel or cargo.
- b. The awards are based on the fund provided by the salvaged value of the vessel, cargo and freight and rarely exceed 10% of this value.

c. The LOF binds the salvor to use his best endeavours to achieve a successful salvage, but this may legally oblige continuing with salvage services which may result in financial loss to the Crown unless the owner's agreement to desist is obtained.

J.3. **Full Report.** So that the presentation of salvage claims may be considered, a full report of the circumstances is to be submitted whenever Service personnel, or ships or aircraft belonging to the Crown, perform a service entitling them to salvage money.

*(Navy only)*—When the services are complete the report is to be made without delay. It is to be addressed to the GLD at One Kemble Street, London WC2B 4TS and sent by the quickest means. A copy is to be sent to the appropriate administrative authority or appropriate senior officer. They are to send it to DJEP CLCP with their comments. Each vessel concerned is to report separately.

4. The report is to be accompanied by a copy of the Ship's Log for the relevant period. It is to be a factual narrative account arranged in chronological order, quoting times as well as dates. It is to cover in detail all the operations and services. It is to be complete in itself without reference to other communications or documents. It is to show the following:

- a. **Instructions.** On whose instructions the services were undertaken (copies of any relevant messages or requests are to be attached).
- b. **Details of Vessel.** The name and description of the distressed vessel; name and address of her owners and/or local agents; the cause of the distress; the position (1) in which it occurred, and (2) in which assistance was first given.
- c. **Degree of Damage.** The degree of disablement or damage, including all factors relevant to assessing the dangers which the vessel would have encountered if the services had not been given, and the fullest possible description of the condition of the vessel, including details of flooded compartments, draught, stability and trim.
- d. **Weather Conditions.** For the periods immediately before and after the salvage service as well as for the period of the service itself, the conditions of weather, including changes in barometric pressure, wind force and direction, and state of sea, and how these conditions made operations more difficult or dangerous.
- e. **Other Conditions.** Details of any conditions other than those already mentioned which made the work or any part of it more arduous or dangerous (but see Clause 5).
- f. **Salvage Claims.** Whether any personnel wish to claim salvage and, if so, a complete and verified list in duplicate of every person on board at the time of the operation and of those of the ship's company who on the material date were absent, with the full names (and the Service numbers of naval ratings and RM other ranks) who performed special services, e.g., boat, boarding and steaming parties.

g. **Expenses Incurred.** Details of all expenses incurred, including the cost of fuel and lubricants, stores consumed, damaged, or lost, together with their respective code numbers, and claims for damage to clothing and other items of expenditure arising directly from the services. The compensation granted for damage to clothing will be deemed part of the salvage award, if any, and deducted from the amount received before distribution.

h. **Salvage Agreement.** Whether any salvage agreement has been signed and the date it was sent to the MOD.

i. **Other Assistance.** Full details of assistance given by other vessels, naval, dockyard or other working parties.

5. **Supplementary Reports.** Opinions on the conduct of the operation or of individuals are to be given in separate reports and are not to be included in the factual report to the GLD. The supplementary reports are to be sent to the appropriate administrative authority or senior officer to send to the MOD with a copy of the main report.

#### **J.4645. Prosecution of Personal Salvage Claims**

1. The GLD acts for the MOD in the presentation of salvage claims on the Ministry's behalf and is also prepared to accept instructions from ships' agents in order to represent the interests of the salvaging crew(s).

*(Navy only)* If a claim for salvage is to be made by personnel of ships which have a ship's agent (see **4602**) the Commanding Officer is recommended to communicate directly with the ship's agent by the fastest possible means immediately the commencement of the salvage operation begins. The agent is to be told the salvaged ship's name, her owners, details of her cargo, short particulars of where she is and the nature of the services. When more than one of Her Majesty's ships is concerned, it is advisable that the ship's agent of the senior officer's ship should be asked to act for all the salvors, the other ships' agents being informed accordingly, as it is desirable that all claims for a particular salvage should be dealt with through one agency. The GLD, who normally prosecutes the MOD's claim will be prepared to accept instructions and a Retainer from the ship's agent to negotiate a claim on behalf of all personnel concerned on the terms that:

a. No personal liability will rest on the personnel for the costs incurred, but any costs not recovered from the salvaged interests will be deducted from the award before distribution.

b. The GLD will not enforce, compromise or withdraw their claims without the ship's agents' instructions, but in the event of a difference of opinion arising between the MOD and the personnel as to whether any claim should be enforced, compromised or withdrawn, the GLD's advice shall be accepted.

2. The GLD is also prepared to act for personnel of ships which do not have a ship's agent or ships chartered by the MOD, and for personnel attached to shore establishments. Before acting for such personnel a letter of retainer on Form S.1522 signed by the Commanding Officer or other officer is required. It is to be sent to the GLD with the full written report.



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Services will be given only on the terms that GLD may enforce, compromise or withdraw the claim with absolute discretion as thought advisable and without prior communication with the personnel.

3. When a lump sum is recovered for the joint claims of the MOD and of personnel represented by the GLD, the apportionment of that sum between the respective claimants or groups of claimants by the MOD and the GLD will be accepted without question.

A nominal roll giving particulars of those on whose behalf the claim is to be made is to be provided in duplicate and reference is to be made to those who perform special services. This list is required in addition to the one forwarded with the full written report. See **4644.J.3**.

4. The MOD has the right to put forward a claim in respect of salvage performed by ships or aircraft belonging to the Crown in its name alone

*(Navy only)*—and to withhold permission for personnel to claim separately. When this right is exercised the MOD will consider granting personnel a share of any award received.

### **4646. Enforcement of Claims - General**

1. When salvage is completed, the first step is to obtain bail or security for the amount of the likely award to the MOD and personal salvors. Subject to LOF Clause 4, the salvors are not to consent to the release of the salvaged vessel or property until they have been informed that proper security has been given. This is especially important when the salvage relates to a foreign ship. The GLD normally obtains bail to cover the claims of the MOD and personnel represented. The ship's agent is responsible for obtaining bail for the services of the personnel they represent. If intending to instruct the GLD the latter will obtain sufficient bail to cover the claims of all parties.

2. If a LOF has not been signed and it is likely that the salvaged ship or cargo will be removed before a satisfactory guarantee or security can be obtained and before the GLD can offer advice, the salvors are, subject to LOF Clause 4, to have the salvaged ship and cargo arrested or detained by the local court or nearest detaining officer until bail or security is given.

3. If a LOF has been signed, the provisions of its Clause 5 must be carefully observed. Only if an attempt is made, or is known on good evidence to be contemplated, to remove the salvaged property without MOD consent before security has been given, is it justifiable to arrest or detain the vessel and/or cargo. If such an attempt is made, or is believed to be contemplated, the first step to be taken to enforce the lien conferred on the MOD by Clause 5 of the Form is to place an officer on board the salvaged ship, if this can be done without exercising force. Only when it is clear that the removal of the vessel or cargo is still intended may the vessel and/or cargo be detained by legal process until bail or security is given.

4. Salvaged vessels must never be arrested or detained without MOD authority when they belong to:

- a. British owners of good standing and reputation;
- b. Owners other than those at a, of good standing and reputation, when a LOF has been signed.



#### **4647. Detention of Ships Abroad**

1. The salvor may, subject to **4646.4**, detain the property salvaged if they cannot obtain agreement from the Master or a satisfactory guarantee from the owners or agents for the payment of any salvage which may be awarded.

He/she must take the vessel to a port where there is a consular officer, or a Court of Admiralty or a Vice-Admiralty Court. In so doing, it is, so far as his/her primary duty to the Queen's service permits, to be guided by the convenience of the vessel salvaged. Within 24 hours of arrival at the port, the salvor, and the Master, or other persons in charge of the alleged salvaged property, are each to deliver to the consular officer or to the judge of the Court of Admiralty, or Vice-Admiralty Court, a statement containing so far as possible the particulars required by Annex 46A, Part 4. The statement must be on oath. Within four days of receiving these statements, the consular officer or judge must proceed to fix a bond sufficient to cover the probable demand for salvage and costs.

2. If either party fails to make the statement referred to in Clause 1 within 24 hours of arrival, the consular officer or judge may proceed *ex parte*. He/she should not, however, except in pressing circumstances, do so without giving notice, and, if the property or vessel salvaged is to be sold, he/she must allow a reasonable time for particulars of the sale to be given. He/she can never require the cargo to be unladen.

3. If the consular officer or judge requires additional information, he/she may examine the parties or witnesses upon oath. A written version of the additional evidence will accompany the original statements.

4. When the consular officer or judge has determined the amount, he/she instructs the parties to prepare a bond as in Annex 46A, Part 3. If the parties wish adjudication in any court of Admiralty, or Vice-Admiralty Court in a British colony, the name of the court, and the place for which it acts, is to be inserted in the bond. If not, the High Court in England will adjudicate. The bond must be executed by the Master in the presence of the consular officer or judge, and must be attested by him/her. The consular officer or judge then delivers it to the salvor. Thereupon the salvor's lien on the property ceases.

5. For salvaged property owned by residents of foreign countries such additional security must be given as the consular officer or judge may approve. When executed and attested this additional security must be given to the consular officer or judge, or if the salvor wishes, placed in the joint possession of the consular officer, the judge, and any other person appointed by the salvor.

6. If those in charge of the salvaged property do not execute the bond, the salvor can take proceedings in the appropriate court having jurisdiction over the place where the salvaged vessel or property is at the time proceedings are instituted. He/she may detain the salvaged vessel or property through the proper officer of the court until the claim is satisfied or security given.

#### **4648. Salvage Awards and Distribution**

1. Salvage awards for the services of MOD (Navy) personnel, irrespective of whether they result from a decision of a court, an arbitrator, a settlement out of court, or from voluntary gift of the owners, are not to be accepted without MOD consent.

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2. Awards are distributable solely by DBS. They distribute them according to the Order in Council relating to them and in force at the time of the services, unless the award is made by a court or arbitrator and its terms include a special apportionment, or unless there are other special circumstances. The current Order in Council is in Annex 46A, Part 2. (*See also 4662.3 and 4673–4678.*)

3. When various ships or personnel engaged in the same service perform different work, recommendations for specially apportioning an ultimate award between them are to be sent to the MOD.

4. The approved expenses incurred by the salvors in obtaining an award, including the ship's agent's commission (see **4602**) and any legal costs (over and above the party costs usually ordered to be paid by the salvaged vessel) are deducted from the award before distribution.

5. Income tax and ERNIC where applicable is payable on salvage awards and will be deducted at source.

6. *See also 4603.3, 4607 and 4608.*

**4649–4660. Unallocated**

## SECTION V - SALVAGE OF PRIVATE PROPERTY

### 4661. Articles Found

1. All articles, other than those belonging to the Crown, found in or on the shores of the sea or any tidal waters of the United Kingdom are to be delivered to the Receiver of Wreck for the district. Abroad, application is to be made to consular or other appropriate authorities for disposal instructions.
2. A report is to be sent to the MOD stating whether the personnel wish to claim salvage, unless an award offered by a Receiver of Wreck is accepted under **4662**.
3. No claim will be sanctioned for salvage or recovery of Crown property by any member of HM Forces. In this context HM Forces include civilians employed by the Department.

### 4662. Awards from Receivers of Wreck

1. Flag Officers and Naval Officers-in-Charge may, without reference to the MOD, sanction the acceptance of awards offered by Receivers of Wreck for salvaged property not owned by or entirely at the risk of, the Crown. Permission to accept is not normally to be withheld even though the circumstances may have been fortuitous and the service performed during the normal course of duty. When acceptance is permitted, the reward offered by the Receiver of Wreck is to be accepted without questioning the amount. The MOD is to be informed whenever permission is withheld.
2. When the reward exceeds £100 the MOD is to be informed of the circumstances of the salvage, and the names and rank or rating of the salvors. The MOD will allocate the award in part or in full to the salvors. The allocation will be distributed by DBS according to the Order in Council in force at the time of the service or as otherwise directed. The current Order in Council is in Annex 46A, Part 2.
3. The authority sanctioning acceptance of awards within a limit of £100 is to distribute them in full according to the Order in Council in force at the time of the service, unless there is justification for a special apportionment. The current Order in Council is in Annex 46A, Part 2. When the award is so small that distribution is hardly practicable, the distributing authority may empower the Commanding Officer to pay the award at his/her discretion either to the Ship's Fund or a suitable charity.
4. Particulars of participants in local distributions and the amounts paid to them are to be sent to DBS.

### 4663–4670. Unallocated

## SECTION VI - SALVAGE OR RECOVERY OF NAVAL PROPERTY

### 4671. Recovery of Stores by Contract

1. When important stores which are lost cannot be recovered by MOD resources and it is desirable to employ outside assistance, careful consideration is to be given to whether the likely expenses are justified, before a contract is made. DES-Salvage & Marine operations are the MOD recovery authority and should be consulted if contractual recovery is under consideration. Particular care should be exercised if the recovery could be deemed to be contracting third party diving services [see JSP430]. When reporting losses to the MOD, the arrangements for the recovery of the articles are to be stated.

### 4672. Recovered Articles Returned

1. Those returning articles lost from naval vessels are to be given a receipt for them provided that the Commanding Officer is satisfied that they were not improperly obtained. Particulars of the description, quantity and condition of the articles are to be shown on the receipt, and a copy is to be kept with the ship's store accounts in which they are taken on charge. (Under no circumstances are items of equipment to be disposed of without prior authority from DJEP CLCP).

2. When the salved value exceeds £500 the following are to be sent by the Commanding Officer through the appropriate administrative authority to DJEP CLCP:

- a. Copy of the receipt for the articles salved.
- b. Report showing their condition and estimated present value.
- c. Details of:
  - (1) The service for which the articles are expected to be required.
  - (2) Whether those claiming salvage were assisted by any personnel of **HM** ships or vessels.
  - (3) Why the crew had been unable to recover the articles.
  - (4) Salvage remuneration to be paid or proposed.
- d. An opinion whether the salvors incurred any expense or experienced any risk in recovering the articles.

3. When the salved value is £500 or under, and payment is authorized locally under article 4673.2, the information required under Clause 2 above is to be attached to the cash account voucher.

### 4673. Payment for Salvage

1. An award for salvage by private individuals will be considered by the MOD when the salved value exceeds £500 and the information in **4672.2** is received.

2. The Commanding Officer is to authorize small payments for salvage by private individuals without submission to the MOD when the salvaged value does not exceed £500. The payments are to be governed by the following scale:

- a. When the estimated net value of the articles salvaged does not exceed £20, a sum not exceeding two-thirds of the net value may be paid.
- b. When the estimated net value of the articles is over £20 but does not exceed £500, the sum paid is not to exceed half the net value or £50, whichever is the less.

3. Clauses 1 and 2 do not apply to awards payable under **4674** to **4678**, for torpedoes, minesweeping floats and multiplanes, mines, sleeve and flag targets, aircraft and their parts and equipment.

4. Before local payments are made for salvaging stores, torpedoes, etc., it is to be verified that further claims will not be preferred for the same service, e.g., by the owners when a payment is made to a Master.

#### **4674. Salvage and Recovery of Torpedoes**

1. The following rewards may be authorized by a Flag Officer, General Officer Commanding, or Air Officer Commanding, and paid locally to salvors of torpedoes and missiles, as a charge to RA CODE NPA 005.

	<i>Serviceable</i>	<i>Unserviceable</i>
	£	£
a. For providing information (first report) to the nearest maritime port or Customs authority leading to the recovery of a torpedo or missile	<i>up to a maximum</i> 1000	<i>up to a maximum</i> 250
b. For salvaging a torpedo or missile and delivering to the local authority	5000	1000

2. When assessing the appropriate level of reward, account should be taken of the value of the equipment and the degree of difficulty or danger the salvor experienced during its recovery.

3. In addition to the rewards in Clause 1, compensation may be paid for any material damage or loss (including loss of earnings) incurred in salvaging, subject to confirmation and certification by the local Fishery Officer and in accordance with **5932**.

4. When payment is made the salvor is to be informed that the award is in full and final settlement of the claim.

5. In the event that the salvor disputes the award his claim, together with the Fishery Officer's report and a report on the type, age, origin, condition and final disposal of the torpedo or missile, is to be referred to DJEP CLCP, for further consideration.

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6. Ships are not to pay awards for the recovery of torpedoes or missiles in home waters. After verification by the naval authority through which they are submitted, claims are to be sent to the Chief of Naval staff/First Sea Lord who is to pass them for settlement to the depots concerned if the payment is authorised.

7. Rewards are not payable to personnel of **HM** Forces or civilians employed by the MOD.

### 4675. Minesweeping Floats and Multiplanes

1. Salvors of lost minesweeping floats and multiplanes may be paid rewards not exceeding £25. If more than £25 is claimed, or it is considered that a reward of more than £25 should be paid, the matter is to be referred to DJEP CLCP.

2. *Pro rata* payments are to be made for recovering portions of minesweeping floats and multiplanes.

3. Payment is to be made as in **4673**.

### 4676. Mines

1. The following rewards may be authorised by a Flag Officer or Senior Naval Officer, and paid locally to salvors of mines, as a charge to RA CODE NPA 005:

	<i>Serviceable</i>	<i>Unserviceable</i>
a. For providing information (first report) to the nearest port or Custom authority leading to the recovery of a practice mine.	<i>up to a maximum of £400</i>	<i>up to a maximum of £100</i>
b. For salving a mine and delivery to the local authority	<i>up to a maximum of £2000</i>	<i>up to a maximum of £400</i>

2. When assessing the appropriate level of award, account should be taken of the value of the equipment and the degree of difficulty or danger the salvor experienced during its recovery.

3. Claims for damage to trawls or nets are to be dealt with as in **5932**.

4. Guidance for fishermen in dealing with mines caught in trawls is given in the annual reprint of *Admiralty Notices to Mariners*.

5. In addition to the awards in Clause 1, compensation may be paid for any material damage or loss (including loss or earnings) incurred in salving, subject to confirmation and certification by the local Fishery Officer and in accordance with **5932**.

6. When payment is made, the salvor is to be informed that the award is in full and final settlement of their claim.

7. In the event that the salvor disputes the level of award, his claim, together with the Fishery Officer's report and a report on the type, age, origin, condition and final disposal of the mine, is to be referred to DJEP CLCP for further consideration.

8. Ships are not to pay awards for the recovery of mines in home waters. After verification by the naval authority through which they are submitted, claims are to be sent to the Chief of Naval Staff/First Sea Lord who is to pass them for settlement to the depots concerned if the payment is authorised.

9. Rewards are not payable to personnel of HM Forces or civilians employed by the MOD.

#### **4677. Recovery of Sleeve or Flag Targets**

1. Awards for recovering sleeve or flag targets are to be limited to £25 and may be paid on the authority of the Commanding Officer. An award in excess of this amount is not to be made without MOD authority. Awards are not payable to personnel of HM Forces or civilians employed by the MOD.

*(Navy only).* The Drogue Recovery Certificate prepared and used to support the cash account is to be regarded as sufficient compliance with **4672.2**.

#### **J.4678. Rewards to Civilians after Aircraft Crashes**

1. Payments as set out below may be made locally to persons not in Her Majesty's Forces for assistance of benefit to the Service in connection with aircraft belonging to the Crown that have crashed or forced-landed:

a. Rescue of aircrews. For rescuing or helping aircrews to safety in difficult conditions overseas—up to £150, (Navy only)—chargeable to RA CODE RNA 003 for each aircrew member rescued, or, if more than one person assisted, or if justified by the expenses incurred or efforts expended, up to a total of £1000, for any one incident.

b. Location of crashed aircraft. For locating or giving a first report about a missing crashed aircraft in territories overseas—up to £100, but this cannot be made in addition to an award under a.

c. Salvage. For salvage of crashed aircraft, parts or equipment:

(1) At sea: when recovery is important for security reasons or for determining the causes of an accident—up to £3000 for the reasonable out-of-pocket expenses of the salvor.

(2) On land: in the UK no reward is to be paid, or offered, without MOD approval which will be given only when aircraft or equipment of particular significance are concerned and will be limited to a maximum of £3000. Overseas, however, the appropriate senior service officer may, at their discretion, in urgent cases pay, or offer, up to £300 for recovery on land, reporting all such payments to the MOD.

The payments for b and c are chargeable to the appropriate material vote.

## **BRd 2**

### **4679. Abandonment**

1. In accordance with the provisions of the Merchant Shipping Acts, the MOD is entitled to abandon any item of salvaged property in lieu of an award. It is therefore important that recovered property is not disposed of without prior authority of DJEP CLCP or alternatively the claim has been settled locally.

### **4680–4699. Unallocated**



**ANNEX 46A****PRIZE AND SALVAGE****Part 1. Form of Appointment of Ship's Agent under the Naval Agency and Distribution Act 1864**

I,.....(1), Commanding Officer of Her Majesty's..... (2), hereby appoint..... (3),.....of (4),..... to be the Ship's Agent for the purposes of the Naval Agency and Distribution Act 1864.

Dated .....the day of.....

(Signed) A.B.

*Witness*

(Signed) C.D.

- (1) Name of officer
- (2) Description and name of ship
- (3) Name of agent
- (4) Address of agent.

**Part 2. Order in Council Regulating the Distribution of Prize Money and Salvage Awards**

(1) The distribution of prize money (other than salvage awards) as defined in **4601** is regulated by Order in Council of 27th April, **1918**, which is not reproduced here.

(2) The distribution of salvage awards is regulated by Order in Council of 18th December, 1936, as follows:

At the Court at Buckingham Palace,  
The 18th day of December, 1936

Present:

The King's Most Excellent Majesty in Council

Whereas there was this day at the Board a Memorial from the Right Honourable the Lords Commissioners of the Admiralty, dated the 19th day of November, 1936 (NL1344/36) in the words following, viz:

"Whereas by the Naval Agency and Distribution Act 1864 it is provided that money distributable among the Officers and Crews of any of Your Majesty's Ships of War in respect of Awards made in the several cases therein mentioned, so far as full provision respecting the distribution thereof is not made by or under any Act of Parliament other than that Act, shall be distributed under our direction in the shares in that behalf specified in any Royal Proclamation or Order in Council; and further that Your Majesty in Council may from time to time make such Orders as seem meet for the better execution of the Act:

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“And whereas His late Majesty King George the Fifth was pleased, by Order in Council dated the 27th April, 1918, to authorise the distribution under our direction of all Prize Bounty, and also of the net proceeds of Captures and Seizures under the several Acts of Parliament passed relating to the Revenues of Customs, to Trade and Navigation, for the Abolition of the Slave Trade, and for the Capture and Destruction of Pirates and Piratical Vessels, and of the Rewards conferred for the same, and also (when not otherwise specially apportioned by the Terms of the respective Awards and Allowances) of all Awards for salvage granted to the Crews of His Majesty’s Ships and Vessels of War and all other Moneys whatsoever granted to be shared among the Officers and Crews of His Majesty’s Ships and Vessels in the manner of Prize Money, except those arising from Prize of War, in the shares and under the Regulations set forth in the said Order:

“And whereas it is considered expedient to cancel and repeal the Scale of Distribution contained in the said Order in Council dated the 27th April, 1918, in so far as it relates to awards for salvage:

“We now therefore beg leave humbly to submit that Your Majesty may be graciously pleased, by Your Order in Council to cancel and repeal the above mentioned Order in Council of the 27th April, 1918, in so far as it relates to awards for salvage, and to authorise the distribution under our direction of all Awards for salvage granted to the Officers and Crews of any of Your Majesty’s Ships and Vessels of War, when not otherwise specially apportioned by the Terms of the respective Awards, in the shares and under the Regulations set forth below:

“1. The net amount distributable shall be distributed by Classes, so that every person present and assisting shall receive shares according to his Class, or according to equivalent Ranks and Ratings as set forth in the following scale, the equivalent Ranks and Ratings being those laid down in Your Majesty’s Regulations and Admiralty Instructions for the Government of Your Majesty’s Naval Service, and in the Regulations for the Government of the various classes of the Reserves, or, if not so laid down, as may be determined by us:

<i>Special Classes:</i>	<b>SHARES</b>
Admiral Commander-in-Chief	1,250
Admiral Commanding a Squadron	1,000
Vice-Admiral Commander-in-Chief	1,000
Vice-Admiral Commanding a Squadron	750
Vice-Admiral	500
Rear-Admiral Commander-in-Chief	750
Rear-Admiral Commanding a Squadron	500
Rear-Admiral	300
Commodore 1st Class Commander-in-Chief	750
Commodore 1st Class Commanding a Squadron	500
Commodore 1st Class	250
Commodore 2nd Class Commanding a Squadron	250
Commodore 2nd Class	160
Captain-in-Command, after nine years’ service in that rank	160

Captain-in-Command, after six years' service in that rank	140
Captain-in-Command, after three years' service in that rank	120
Captain-in-Command, with not more than three years' service in that rank	100
<i>First Class:</i>	
Commander in Command	60
<i>Second Class:</i>	
Captain not in Command, Commander serving as second in Command in a ship commanded by a Captain, Engineer Commander and Commander (E) in charge of the engines of a ship commanded by a Captain, and Lieutenant-Commander in Command	40
<i>Third Class:</i>	
Commander not in Command, Lieutenant Commander serving as Second in Command in a ship commanded by a Captain, Engineer Lieutenant-Commander and Lieutenant Commander (E) in charge of the engines of a ship commanded by a Captain and Lieutenant in Command	30
<i>Fourth Class:</i>	
Lieutenant-Commander not in Command, Lieutenant serving as Second in Command in a ship commanded by a Captain, and Lieutenant (E) in charge of the engines of a ship commanded by a Captain	25
<i>Fifth Class:</i>	
Lieutenant not in Command, Sub-Lieutenant in Command and Commissioned Officer from Warrant Rank in Command	20
<i>Sixth Class:</i>	
Sub-Lieutenant not in Command, Commissioned Officer from Warrant Rank not in Command and Warrant Officer in Command	15
<i>Seventh Class:</i>	
Warrant Officer not in Command	12
<i>Eighth Class:</i>	
Midshipman and Chief Petty Officer	10
<i>Ninth Class:</i>	
Naval Cadet and Petty Officer	8
<i>Tenth Class:</i>	
Leading Seaman	6
<i>Eleventh Class:</i>	
Able Seaman	5
<i>Twelfth Class:</i>	
Ordinary Seaman and Boy	3
<i>Thirteenth Class:</i>	
Supernumeraries	2

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"2. Subject to Paragraph 1, all Officers and Men of the Royal Marines and of the various classes of the Reserves, all Officers and Men of the Fleet Air Arm forming part of the complement of any of Your Majesty's Ships and Vessels of War and all Officers and Men of the Mercantile Marine who are temporarily employed in Your Majesty's Naval Forces shall receive shares according to their equivalent Ranks and Ratings in the Royal Navy or if there are no such equivalent Ranks and Ratings then according to the Ranks or Ratings to which their appointments may be deemed to be equivalent.

"3. All other persons present and assisting shall share as supernumeraries.

"4. Any Officer entitled to share in an award who shall have more Commissions than one shall be entitled to participate only according to the share allotted to him by the above mentioned distribution in respect of his superior Commission.

"5. Officers serving as Chief of Staff or Captain of the Fleet shall share as in Command of a Squadron or Ship.

"6. Officers and others holding Acting Appointments superior to their Substantive Ranks or Ratings, and who are in receipt of the pay of such Acting Appointments, shall share according to such Acting Rank.

"7. In the event of any difficulty arising with respect to any of these Rules, or if any case should occur not herein provided for, or not sufficiently provided for, or if the assistance rendered by any person shall be considered to merit a larger or smaller share than he would be entitled to receive under the foregoing Rules, we shall be competent to issue such directions thereon as may appear just and expedient.

"8. The scale of distribution herein contained shall apply to all Awards for Salvage distributed after the date of this Order."



**Note.** Changes in nomenclature of ranks and ratings since the above Order in Council was issued do not affect the allocation of shares in the scale laid down.

### Part 3. Salvage Bond

Whereas certain salvage services are alleged to have been rendered by Her Majesty's ship (insert names of ship and of Captain), to the merchant vessel (insert names of vessel and of Master), belonging to (name and place of business or residence of owner of vessel), freighted by, (the name of the freighter) and to the cargo therein, consisting of (state very shortly the description and quantities of the goods, and the names and addresses of their owners and consignees).

And whereas the said (insert name of Captain of ship) has voluntarily agreed to abandon his lien upon the said vessel (insert name of merchant vessel), and the cargo thereof, upon the Master of the said vessel entering into such agreement as hereinafter contained, as is testified by the said (insert name of Captain) signing this agreement, and the parties thereto have agreed the amount to be inserted in this bond at the sum of (state the sum).

Now I, the said (name of Master), do hereby, in pursuance of sec. 554 of the Merchant Shipping Act 1894, and on consideration of the premises, bind the several owners for the time being of the said vessel, and the cargo therein, and of the freight payable in respect of such cargo, and their respective heirs, executors and administrators, to pay among them such sum, not exceeding the said sum of (state the sum fixed) in such proportion and to such persons as the High Court in England (or if the parties agree on any other Court, substitute the name of it here) shall adjudge to be payable as salvage for the services so alleged to have been rendered as aforesaid.

In witness whereof we have hereunto set our hands this      day of 19      .

Signed by the said  
(Captain's signature)  
(Master's signature)

In the presence of us  
of  
and  
of

} Signatures and full description  
of witnesses



*Note. Any of the particulars not known, or not required, may be omitted.*

#### **Part 4. Statement of Particulars**

1. Particulars to be stated both by the salvor and by the master or other person in charge of the vessel, cargo, or property saved:

- a. The place, conditions and circumstances in which the vessel, cargo or property was at the time when the services were rendered for which salvage is claimed:
- b. The nature and duration of the services rendered.

2. Additional particulars to be stated by the salvor:

- a. The proportion of the value of the vessel, cargo and property, and of the freight which he claims for salvage, or the value at which he estimates the vessel, freight, cargo and property respectively, and the several amounts that he claims for salvage in respect of the same:
- b. Any other circumstances which he thinks relevant to the said claim.

3. Additional particulars to be stated by the said master or other person in charge of the said vessel, cargo, or property:

- a. A copy of the certificate of registry of the said vessel and of the endorsements thereon, stating any change which (to his knowledge or belief) has occurred in the particulars contained in the certificate; and stating also, to the best of his knowledge and belief, the state of the title to the vessel for the time being, and of the incumbrances and certificates of mortgage or sale, if any, affecting the same, and the names and places of business of the owners and incumbrances:

- b. The name and place of business or residence of the freighter (if any) of the said vessel, and the freight to be paid for the voyage on which she then is:
- c. A general account of the quantity and nature of the cargo at the time the salvage services were rendered:
- d. The name and place of business or residence of the owner of the cargo and of the consignee thereof:
- e. The values at which the Master or person making the statement estimates the vessel, cargo and property, and the freight respectively; or if he thinks fit, in lieu of the estimated value of the cargo, a copy of the vessel's manifest:
- f. The amounts which the Master thinks should be paid as salvage for the services rendered:
- g. An accurate list of the property saved, when the vessel itself is not saved:
- h. An account of the proceeds of the sale of the vessel, cargo or property in cases when they or any of them are sold at the port where the statement is made:
- i. The number, capacities and conditions of the crew of the vessel at the time when the services were rendered; and
- j. Any other circumstances he thinks relevant to the matters in question.

## ANNEX 46B

## SUMMARY GUIDE TO SALVAGE

This table is designed as a summary guide to some of the requirements and considerations which should be taken into account before undertaking, during or after a salvage operation. It does not supersede the more comprehensive guidance and instructions contained in Chapter 46 (see J.4621.3).

	<b><i>Circumstances (C) and guidance (G)</i></b>	<b><i>QRRN reference</i></b>
C	<b>1. Distress call received</b>	
	Is it possible/reasonable/necessary to assist?	
G	a. No. Note circumstances in Ship's Log.	<b>4621.1</b>
	b. Yes. Proceed with all speed (see Note i).	
	Note (i) Acknowledgement of a distress call received direct from a ship in distress commits HM ship to proceed to assist. HM ship is released from lifesaving obligation only when informed by the vessel in distress that assistance is no longer required or that other vessel(s) is/are assisting, or that all personnel have been rescued from the casualty.	
C	<b>2. Proceeding to the scene</b>	
G	In addition to the normal preparations, signal intentions and name of distressed vessel to MODUK NAVY (using SIC I2C) so that information can be obtained by MOD of factors affecting decisions about salvage terms and suitability. Organize the keeping of a full chronological log of the ship's involvement, including:	
	a. Action taken.	
	b. Assessment of salvage possibilities and relevant factors such as risk involved, weather conditions, state of vessel, etc. and by whom made.	
	c. Involvement of other ships.	
	d. Agreements reached, and any discussions with Master/ co-salvor(s)/Salvage Officer.	
	e. Details of personnel and equipment used or expended, and for what purpose.	
	f. Communications and instructions sent or received, and the source.	
	g. Photographic record.	
	h. Nominal list of all personnel actually on board HM ship at time of incident.	
C	<b>3. Arrival on the scene</b>	
G	a. First priority is humanitarian assistance—the safety of life.	
	b. Any Commonwealth registered ship present should be given the first opportunity to undertake salvage.	<b>4641.1</b>
	c. Master of vessel in distress has the right to choose/replace salvor(s) and appoint co-salvor(s).	<b>4641.3 and 4</b>

	Circumstances (C) and guidance (G)	QRRN reference
	<i>d.</i> If a vessel is derelict, the first salvor to take possession has sole right to the vessel, even over the owner but this statement is qualified at <b>4641.5</b> .	
	<i>e.</i> Signal initial report to naval authorities.	<b>4644.1</b>
	<i>f.</i> Inform ship's agent as soon as possible.	<b>4645</b>
C	<b>4. Before undertaking salvage</b> (see Notes ii and iii)	
	—Is vessel aground or in imminent danger of going aground?	
	—Is the success of a salvage attempt in doubt?	
	—Is there a significant risk to HM ship?	
	—Would HM ship's programme suffer major disruption?	
	—Is there a risk of pollution?	
	—Is Dipclear required?	
	—Is the vessel carrying a toxic/dangerous cargo?	
	<i>Note (ii)</i> HM ships are not, under any circumstances, to offer towage or salvage free of charge.	<b>4644</b>
	<i>Note (iii)</i> Consider seeking the services of a MOD(N) salvage office.	<b>4624.2</b>
G	<i>a. Doubt.</i> If in doubt whether to undertake salvage, or as to the terms under which it is to be undertaken, seek guidance from MODUK NAVY using SIC I2C. MOD(DNOT) will contact the Chief Salvage Officer or Duty Salvage Officer for advice (see Note iv).	<b>4641.4</b>
	<i>Note (iv)</i> Salvage work may be undertaken while awaiting a reply to important questions if the nature of the casualty demands fast action. However, it should be made clear to the ship's Master that MOD may pursue a salvage claim on a non-contractual basis.	<b>4642</b>
	<i>b. Yes.</i> If the answer to any of the seven questions above is 'Yes', consider salvage on a non-contractual basis. It should, however, remain clear that MOD may still claim (see Note iv).	<b>4642</b>
	<i>c. No.</i> If the answer to any of the seven questions above is 'No', use Lloyd's Open Form (LOF), which should be signed before operations begin if possible. If the Master/ representative of the casualty will not sign LOF, make it clear that services are rendered subject to the terms of LOF.	
	<i>d.</i> If a toxic/dangerous cargo is involved, see para 5 below.	<b>4624</b>
C	<b>5. Vessel with a dangerous cargo</b>	
G	Check Dangerous Goods List and Blue Book, and if the ship is carrying a chemical cargo.	
	<i>a.</i> Consider instituting CHEMCHECK procedure by immediate signal to MOD(N) using SIC I2C.	
	<i>b.</i> Restrict initial actions to those necessary to save life, remaining upwind of the casualty and boat traffic approaching on the <i>weather side</i> .	
	<i>c.</i> Do not attempt salvage, or sign LOF, before receiving MOD advice (see Note v).	



	<b>Circumstances (C) and guidance (G)</b>	<b>QRRN reference</b>
	<p><i>Note (v).</i></p> <p>(1) Signing of LOF <i>binds the salvor to continuing salvage until released by the vessel in distress</i> on a 'no-cure—no pay' basis.</p> <p>(2) Signing the LOF is not essential to the successful prosecution of a salvage claim, although it may be signed in retrospect in London.</p>	
	<i>d.</i> If possible, seek assistance of a Salvage Officer (see Note vi).	<b>4624</b>
	<i>Note (vi)</i> If a Salvage Officer is put in charge of the operation, the Commanding Officer is in no way relieved of responsibility for ship and crew.	
C	<b>6. On completion of salvage</b>	
	Has security for a possible award been obtained?	
G	<i>a. Doubt.</i> If not already notified that security for a possible award has been obtained, seek advice from MOD(N) using SIC I2C.	
	<i>b.</i> Yes. Obtain certificate of delivery.	
C	<b>7. Reports required</b>	
G	<i>a.</i> Initial signalled report required using SIC I2C. Not to be delayed for lack of details.	<b>4644.1</b>
	<i>b.</i> Subsequent signalled Sitreps required.	<b>4644.2</b>
	<i>c.</i> Pass details to ship's agent for salvage claim on behalf of ship's company.	<b>4645</b>
	<i>d.</i> On completion, render a full written report.	<b>4644.3</b>
C	<b>8. HM ship in collision distress</b>	
	Does HM ship need assistance?	
G	<i>a.</i> Yes. HM ship in collision should give assistance to other vessel and stand by her until no longer required, unless it is unsafe to do so or there is an overriding operational commitment.	
	<i>b.</i> No.	
	(1) Commercial assistance to HM ship is only to be sought/ accepted in an emergency. Whenever possible nearest Navy Dept salvage resources are to be used.	<b>4631</b>
	(2) <i>LOF not to be signed, nor any agreement entered into, without reference to MOD(N) using SIC I2C.</i>	<b>4631.6</b>

## CHAPTER 47

### GENEVA CONVENTIONS PROVISION OF IDENTITY CARDS AND ARMLETS; PRISONERS OF WAR

(MOD Sponsor: FLO, NCMD<sup>1</sup>, Chaplaincy)

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<sup>1</sup> NAVY MED-PERS POL MAILBOX (MULTIUSER)

## CHAPTER 47

### GENEVA CONVENTIONS PROVISION OF IDENTITY CARDS AND ARMLETS; PRISONERS OF WAR

#### SECTION I - GENERAL

##### 4701. Provision of Identity Cards and Armllets

1. Under the terms of the Geneva Conventions (1949) relative to the *Treatment of Prisoners of War, for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field* and for the Amelioration of the Condition of the Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, the United Kingdom Government is obliged to ensure that:

- a. All members of its armed forces are fully instructed both in peace and war on the requirements of the Conventions; and
- b. All members of and civilians (including RFA personnel) accompanying those forces are provided with the documents and equipment prescribed by the Conventions so that they may, if captured, claim treatment as Prisoners of War.

2. The Conventions apply to all declared wars, and to any armed conflict that may arise, between any of the contracting parties, even if the state of war is not recognised by one of them. The full implementation of these instructions, i.e. general issue of documents to individuals, would depend on a declaration by Her Majesty's Government and specific instructions from the Ministry of Defence. Meanwhile it is important that the requirements and procedures, as set out in Sections II–V, should be known and understood, that the necessary preparatory arrangements be made or planned, and suitable instructions be given to those concerned. Ships and establishments are to hold all types of identity cards and armllets in bulk and to prepare certain of the cards thus reducing the time and labour involved in the event of the Ministry of Defence ordering that the completed cards are to be issued to appropriate personnel or on mobilisation.

3. **Documents - General.** The following document is prescribed for issue in war/armed conflict to members of the forces and civilians accompanying them:

- a. F Ident 189 identity card for each member of the UK Armed Forces / RFA and others entitled to be treated as prisoners of war. Instructions as to the issue of this document are set out in Section II.

4. **Forces Identity Cards.** The following identity cards are prescribed for members of the forces in addition to the F Ident 189:

- a. F Ident 106 (together with a Red Cross armllet) - issued to members of the Forces especially trained for, and while employed on, part-time medical duties.
- b. F Ident 107 (together with a Red Cross armllet) - issued to members of the Forces / RFA employed exclusively on medical, dental or spiritual welfare duties.

Instructions on the preparation and issue of these documents are set out in Sections III and IV.

5. **Civilian identity card.** The following identity card is prescribed for civilians in addition to the F Ident 189:

F Ident 108—issued to civilians accompanying the forces and crews of RFAs (other than those RFA personnel who form part of the Royal Naval Reserve on activation of Sponsored Reserve status).

6. **Commanding Officer's Responsibilities.** Commanding Officers have the responsibility of ensuring that:

- a. Persons under their command, naval and civilian, are informed of their duties and responsibilities under the Conventions and are, in war, in possession of the documents appropriate to their employment.
- b. Persons are warned that failure to produce their identity card or cards may, if they are captured, prejudice their chance of being treated as Prisoners of War or of being protected under the Conventions.
- c. Identity cards are correctly completed and maintained once they have been issued.
- d. Persons are reminded of their responsibilities towards prisoners of war whom they may capture.
- e. Persons are reminded that any derogation from their responsibilities towards Prisoners of War will result in a full investigation and potential legal proceedings against them either before a military or civilian tribunal.

7. **Supply of Identity Cards and Armlets.** All Regular Reserve and RFA ships and establishments are to arrange for the supply, preparation and holding in bulk at ship and establishment level of the identity cards and armlets as set out in Sections II-IV.

8. **Photographs.** Where contract arrangements for the supply of identity photographs are currently in force (e.g. for use with the Form .F Ident 1024) these should be extended to cover the requirements.

9. **Issue Instructions.** Identity cards and armlets are only to be issued by ships and establishments on instruction from the Ministry of Defence or on mobilisation.

10. **Custody and Control.** The custody and control of the forms and registers are to be as follows:

- a. Forms to be held by the Ship's Office/ Unit Personnel Office (UPO) (Logistics Supply Officer on RFA ships).
- b. F Ident 107 register to be maintained by the Logistics Officer (Logistics Supply Officer on RFA ships).

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- c. An annual inspection is sufficient; to be carried out by an officer detailed by the Commanding Officer.
  - d. The issue of F Ident 107 should be recorded in the Register by the Logistics Officer. No other record should be needed.
  - e. Issue of armlets record to be maintained by the rating in charge of loan/cash clothing.
11. Demands for all F Ident Forms should be made through Naval Stores, although the Fident 1024 is an online form through JPA. Red Cross armlets are to be requisitioned from Naval Stores ('Armlet, Brassard, White with Red Cross' – NSN 8455-130-8055).

### **4702–4711. Unallocated**

## SECTION II - IDENTITY CARD F IDENT 189

### 4712. F Ident 189 (With Plastic Cover F Ident 189A)

1. All members of the forces and civilians accompanying the forces abroad (including those entitled to F Ident 106, F Ident 107 or F Ident 108) are to be provided with F Ident 189. The object of this card is to comply with the requirements of Article 17 of the *Geneva Convention Relative to the Treatment of Prisoners of War 1949* (third Geneva Convention). It enables the person concerned to produce documentary evidence to show that they are entitled to be treated as a prisoner of war. It also provides a concise and convenient means of informing the captors of a person's particulars so that they may inform the Protecting Power of their capture and thus enable their next-of-kin to be informed.

The F Ident 189 contains brief general instructions and provides for the insertion of rank, full name and date of birth. It does not require stamping, embossing or counter signature and may therefore be completed by the holder.

### 4713. Stocks

1.
  - a. Ships and establishments in the United Kingdom and overseas, are to hold sufficient pamphlets, cards and plastic covers for issue on the scale of one to each individual at war (or equivalent) complement, plus 10% reserve (30% reserve for RFAs to reflect roulement in theatre).
  - b. In order to ensure that all reservists proceeding overseas are protected at all stages, Maritime Reserve Units in the United Kingdom to which reservists may report on mobilisation are also to hold Mobilisation Packs sufficient copies for issue on the scale of one to each reservist due to report, plus 10%.
  - c. Sufficient copies for all entitled personnel in new ships and establishments which are to be commissioned on mobilisation are to be held in bulk by the Regional Flotilla of the area where the ship is held in reserve or where the establishment is to be created on the scale of one to each entitled individual, plus 10% reserve.
  - d. Issue to individuals will only be made on instructions from the Ministry of Defence or on mobilisation. It is the responsibility of the Commanding Officers of ships and establishments to ensure that F Ident 189 is correctly completed.

### 4714–4730. Unallocated

## SECTION III - F IDENT 106 AND RED CROSS ARMLET

### 4731. F Ident 106 and Red Cross Armlet

1. Article 25 of the *Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field 1949* (first Geneva Convention) requires that members of the Armed Forces specially trained for and employed part-time or temporarily, but exclusively, as stretcher bearers, team medics, hospital orderlies, nurses, ambulance drivers, etc. shall, while carrying out these duties, be respected and protected in all circumstances. So that they can establish their right to this respect and protection if they are carrying out these duties at the time of capture, such persons are to be provided additionally to the F Ident 189 with a special identity card (which for members of the British Forces is the F Ident 106), together with a white armlet marked in the centre with a red cross in miniature. The F Ident 106 is a unit card for issue to selected personnel as necessary by the establishment concerned; it requires a military stamp but does not require a photograph. The card is required by the Convention to be prepared in duplicate. Every card has a duplicate with the same serial number.

### 2. Ship and Establishment Holdings of F Ident 106, Armlets and Stamp.

- a. All ships and establishments are to hold in bulk in safe custody, sufficient cards and armlets for issue on the scale of one to each individual at war complement who may be temporarily engaged as in Clause 1. Demands are to be calculated at 10% of the war complement of the ship or establishment.
- b. Sufficient cards and armlets for ships and establishments which are to be commissioned on mobilisation are to be ordered via the DE&S Joint Supply Chain, Millie Online Portal. Demands are to be calculated at 10% of the war complement of the ship or establishment (30% reserve for RFAs to reflect roulement in theatre).
- c. Red Cross armlets are to be accounted for in the loan clothing account. It should be noted that this armlet (see Clause 1) is different (with a miniature Red Cross insignia) from the one authorised for issue with the F Ident 107 (which has a large red cross insignia).
- d. Every ship and establishment is to hold a special rubber stamp with which to stamp F Ident 106 and armlets. When demanding the stamp, 'Authenticating Stamp No. 2' is to be quoted by ships and establishments. Responsibility for the custody of the stamp is to be decided by the Commanding Officer.

### 4732. Issues and Withdrawals

1.
  - a. F Ident 106 cards and armlets are only to be issued by ships and establishments to individuals on orders from the Ministry of Defence or on mobilisation. It is stressed that F Idents 106 and armlets are required for individuals who are employed on a part-time or temporary basis and therefore are to be issued whenever they are needed by the individual, and are to be withdrawn, and no longer carried, when the individual is no longer entitled to carry them. Every F Ident 106 has a duplicate with the same number.

- b. When issues are made, ships and establishments are to:
  - (1) Apply the signature of the issuing officer and date of issue to both copies (the words '(OC Ship/Unit)' denote the status of the issuing officer and he or she is, under no circumstances, to enter anything other than their signature and rank).
  - (2) Apply the official rubber stamp (Authenticating Stamp No. 2) in the place designated 'Stamp'.
  - (3) Obtain the individual's signature on both copies and issue them with the original for retention, during the period whilst they remain entitled, together with an armlet which will also be stamped with Authenticating Stamp No. 2 and is to be worn on the left arm. The duplicate card is to be attached to the holder's Service documents.
- c. Entries are to be made in block capitals in ink except the entry against 'Rank/Rating' which is to be made in pencil and is to show the rank/rating at the time the card is issued to the holder: thereafter any change of rank or rating is to be amended in pencil as and when it occurs.
- d. A ship and establishment register, by serial numbers, is to be maintained by the Logistics Officer of cards and armlets to include receipts, losses or accidental or deliberate destruction.
- e. The cards and register are to be available for inspection.
- f. If the holder ceases temporarily to carry out the duties which entitle them to hold an F Ident 106 then the card and armlet are to be withdrawn and held with their documents ready for re-issue when required. If the holder ceases permanently to be entitled, through death or for some other reason, then the card and duplicate are to be destroyed as classified waste and the armlet withdrawn and held in ship or establishment reserve.
- g. The F Ident 106 is to be kept in the protective cover F Ident 189A issued for use with the F Ident 189.

**4733–4750. Unallocated**



## SECTION IV - F IDENT 107 AND ARMLET

### 4751. F Ident 107 and Armlet

1. The first Geneva Convention requires that all persons employed exclusively on medical, dental or spiritual welfare duties shall be respected and protected in all circumstances. So that these persons shall be accorded this respect and protection they are to be provided additionally to the F Ident 189, a special identity card embossed with a military stamp (which for members of the UK Armed Forces / RFA is the F Ident 107), and a white armlet marked with a red cross. This card is required by the Convention to be prepared in duplicate. Each card and its duplicate carries the same serial number.

2. **Categories.** The following categories of persons are entitled to F Ident 107, and the Red Cross armlet:

- a. All naval personnel<sup>2</sup> who are members of the following:
  - (1) Royal Naval Medical and Dental Services, including Reserves.
  - (2) Queen Alexandra's Royal Naval Nursing Service, including Reserves.
  - (3) Naval Chaplaincy Service, including Reserves.
  - (4) RFA Medical Technicians.
- b. All naval personnel on the War Complement of or attached to one of the following:
  - (1) Ambulance Pools.
  - (2) Naval Administrative Officers' Staffs Civil Hospitals.
  - (3) Any other medical or dental unit or establishment except convalescent depots, physical development centres and units of a like nature.
- c. All whole-time members of voluntary aid societies duly recognised and authorised by Her Majesty's Government who are subject to naval law and regulations and are exclusively employed with naval medical units or are undertaking welfare services in a theatre of operations are placed on the same footing as Service medical personnel. These societies are:
  - (1) The Venerable Order of the Hospital of St. John of Jerusalem.
  - (2) The St. Andrew's Ambulance Association.
  - (3) The British Red Cross Society.

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<sup>2</sup> Includes personnel attached to the Royal Marines.

3. In the United Kingdom members of these societies are to have identity cards prepared and armlets issued in accordance with special arrangements made with Headquarters, The British Red Cross Society.

4. Overseas, members of these societies, should apply to the Deployed Medical Director in the command concerned who is responsible for making arrangements for the preparation and issue of cards and armlets to such members in accordance with the instructions set out in this Section. A separate register is to be maintained by the Logistics Officer to record the preparation and issue of these cards and armlets.

5. F Idents 107 and armlets are only to be issued to individuals of the voluntary aid societies on orders from the Ministry of Defence or on mobilisation; when such issues are made, the duplicate F Ident 107 is to be forwarded to the British Red Cross Society, 44 Moorfields, London EC2Y 9AL.

#### **4752. Preparation of F Ident 107**

1. The instructions for the preparation of the F Ident 107 are complex but it is essential that they are properly carried out in order to comply with the requirements of the Geneva Conventions. The subsequent paragraphs set out the various procedures which must be followed in preparing and issuing the card and its duplicate.

#### **4753. Ship and Establishment Holdings of F Ident 107 and Armlets**

1.
  - a. All ships and establishments at home (including RNR units) and overseas in which personnel as listed in **4751.2** serve, are to hold F Idents 107 as described below. In addition they are to hold an equivalent number of armlets. This armlet is different (with a large Red Cross insignia) from the armlet authorised for issue with the F Ident 106 (which has a miniature Red Cross cross insignia).
  - b. The cards should be prepared for serving personnel in peace-time and then held with the individual's ship or establishment documents for issue when ordered by the Ministry of Defence or on mobilisation. In addition, these ships and establishments are to hold sufficient blank cards and armlets for entitled reinforcements who join on mobilisation, plus 10% reserve (30% reserve for RFAs to reflect roulement in theatre).
  - c. Sufficient cards and armlets for all entitled personnel in new ships and establishments which are to be commissioned on mobilisation are to be held in bulk by the Flag Officer of the area where the ships are held in reserve or where the establishments are to be created, on the scale of one to each entitled individual plus 10% reserve.
  - d. Holdings of F Ident 107 (and duplicates) should therefore be as follows:
    - (1) Ships and establishments:
      - (a) Completed cards (except for signature and date of issue to the individual) kept with the documents for serving entitled personnel.

(b) Bulk holding of blank cards to cover replacements of (a) above, and any reinforcements to be expected on mobilisation plus an overall 10% reserve.

(2) Cards for all entitled personnel in new ships and establishments to be commissioned on mobilisation are to be held in bulk by the Flag Officer of the area where the ships are held in reserve or where the establishments are to be created.

Armlets Geneva Cross 40 should be held to match the cards in all cases.

#### **4754. Photographs**

1. The card and its duplicate require a photograph which is to be a 35mm x 35mm contact print showing the subject's head full face, without head-dress and with sufficient of the neck showing to facilitate recognition. The official number (Discharge Book Number for RFA personnel) of the individual is to be incorporated in the base of the photograph, i.e. no badge or other insignia will appear but the subject must be wearing uniform. Prints are to be affixed to the blank card and its duplicate by the unit. For this purpose two additional prints of the photograph for Royal Navy or Royal Fleet Auxiliary Identity Card Form (F Ident 1024) are authorised to be provided under contract for all entitled personnel.

Special contracts in respect of photographs for F Ident 107 are not to be placed except in cases where photographs taken for F Ident 1024 are not available.

#### **4755. Entries on F Ident 107**

1. When the photographs have been affixed, all details other than the signature, date of issue (to the holder) and the rank/rating, are to be completed as follows:

- a. Entries are to be made in block capitals (typed wherever possible) or in ink.
- b. Under the entry 'Other Distinguishing Marks' refer to any marks which would aid identification such as a scar or tattoo mark.

#### **4756. Embossing of F Ident 107**

1.
  - a. When photographs have been affixed and entries made in accordance with paragraphs 5 and 6, the original and duplicate cards (completed except for signature, date of issue to the holder, and rank/rating at date of issue) are to be sent to the DACOS Med Op Cap as the Competent Medical Authority<sup>34</sup>, NCHQ for embossment. The photographs are to be embossed at the back of the F Ident 107 where indicated within the dotted circle and are to be so embossed as to overlap the print without rendering the subject of the photograph unrecognisable.
  - b. The cards will then be returned to the ship or establishment.

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<sup>3</sup> Embossing Machine No 1 is held by NAVY MED-MED OP CAP MAILBOX (MULTIUSER)

<sup>4</sup> When demanding the embossing machine, DACOS Med Op Cap is to quote 'Embossing Machine No. 1' (supplied by the Ministry of Defence (Common Services (PS)2)).

**4757. Retention and Accounting for F Ident 107 before Issue to the Holder**

1.

a. Ships and establishments are to:

(1) Retain both copies of all prepared or unprepared cards in safe custody. They are to be mustered periodically in the same way as confidential books, etc.

(2) Forward both partially prepared copies to the new ships and establishments of individuals posted and remaining entitled.

(3) Destroy (as classified waste) both partially prepared copies of individuals ceasing to be entitled while remaining on the Active List.

(4) Forward both partially prepared copies for entitled individuals leaving the Active List to DACOS Med Op Cap in the case of Medical, Dental, Medical Services, Nursing and Quarters officers and ratings, and Chaplain of the Fleet for Chaplains.

(5) Account for both copies of all cards by serial number in a ship/establishment register showing:

Cards taken on charge.

Number, Rank, Initials and Name for whom intended.

If embossed and prepared.

Losses or accidental destruction.

Deliberate destruction.

Issue (to be supported by signature of recipient on receipt from ship or Establishment.

All cases of loss are to be reported as soon as possible to the issuing authority.

(6) Make cards and register available for inspection.

b. On receipt of cards DACOS Med Op Cap and the Chaplain of the Fleet are to:

(1) Record receipt in a register.


(2) Retain both cards of individuals with their personal documents while they have a reserve liability and destroy (as classified waste) all others, recording destruction in the register.

(3) Re-issue both copies, with other personal documents to the ships and establishments of personnel transferring from a reserve to the Active List or on joining the Reserves for ship or establishment action as in paragraph 8a of the Convention. Record re-issues in register.

#### **4758. Retention of and Accounting for Red Cross Armlets before Issue to the Holders**

1. Sufficient armlets are to be retained in ship or establishment store with a nominal roll showing for whom they are intended. Armlets are not to be transferred between ships and establishments before their issue to individuals is ordered.

#### **4759. Issue of F Ident 107 to the Holder**

1.
    - a. F Ident 107 cards are only to be issued to individuals on orders from the Ministry of Defence or on mobilisation.
    - b. When issues are made, establishments are to:
      - (1) Apply the signature of the issuing officer and date of issue to both copies. The words 'OC Ship/Unit' denote the status of the issuing officer and he or she is under no circumstances to enter anything other than their signature and rank.
      - (2) Complete the entry against 'Rank/Rating' in pencil showing the rank or rating at the time; thereafter any change of rank or rating is to be amended in pencil when it occurs. This will enable the holder to be accorded his correct status. When making the entry in pencil against 'Rank/Rating' the standard abbreviations only are to be used irrespective of branch. Chaplains are to put the word 'CHAPLAIN' in the relevant space.
- 

**Note.** Chaplains RN have no equivalent military rank (see 0304).
- (3) Obtain the individual's signature on the reverse of both copies and issue him or her with the original for retention while the individual remains entitled. On mobilisation, the issue to recalled reserve officers and ratings should be entered in red on the Individual Mobilization Card.
      - (4) For ratings, send the duplicate to the PCAP\_CM OF MED to retain with the individual's documents and for chaplains send it to Chaplain of the Fleet as appropriate to be placed on their personal files.
      - (5) Record the issue in the ship or establishment register and on JPA.
    - c. The F Ident 107 is to be kept in the protective cover F Ident 189A issued for use with the F Ident 189.

#### **4760. Issue of Red Cross Armlets**

1. On mobilisation or on instruction from the Ministry of Defence to issue F Ident 107, one armlet is to be issued with each F Ident 107. Individuals are to retain armlets on moving between ships and establishments while they remain entitled to hold F Ident 107. Armlets are to be stamped prior to issue with the special rubber stamp provided and are to be worn on the left arm. (See Section III, **4731.2d** for details of the stamp to be issued.)

**4761. Action on Cessation of Entitlement after Issue**

1.

a. If holders of F Ident 107 cards and Red Cross armlets cease to be permanently entitled to them ships and establishments are to:

(1) Withdraw F Ident 107 and record in ship or establishment register. A record is to be made on JPA.

(2) Return original F Ident 107 to DACOS Med Op Cap for officers and ratings and Chaplain of the Fleet for Chaplains with information that the holder is no longer entitled. Record the return in the ship or establishment register and on JPA.

(3) Withdraw the armlet and return to store.

b. On receipt of such F Ident 107 cards ACOS Med or Chaplain of the Fleet is to destroy (as classified waste) both the original and duplicate and record destruction.

**4762. Hospital Ships/ Primary Casualty Receiving Facility (PCRF) Vessels/ Role 2 Afloat**

1. All ships designated as hospital ships, PCRF and Role 2 Afloat should abide by the above instructions in conjunction with regulations laid down in BR 1991, *Instructions for the Royal Naval Medical Service*.

**4763–4780. Unallocated**

**SECTION V - F IDENT 108****4781. F Ident 108**

1. Civilians who accompany the armed forces are required to be in possession of an identity card which complies with the provisions of Article 4 of the third Geneva Convention. Such persons accompanying the armed forces are to carry a special identity card F Ident 108 in addition to the F Ident 189 and AFZ 13662. In the event of their being captured, civilians carrying this card are entitled to claim to be treated as prisoners of war.

2. **Categories of Persons to be Issued with F Ident 108.** All civilians authorised to accompany the armed forces who are not entitled to hold F Ident 106 and 107 cards are to be issued with an F Ident 108 by their appropriate civilian organisations on instructions from the Ministry of Defence or when mobilisation is ordered. They include the following categories:

- a. Civil servants excluding those who have a commitment to join the forces on mobilisation.
- b. War correspondents; including press photographers, press artists, cine cameramen and representatives of broadcasting organisations.
- c. Supply contractors (including CONDO).
- d. Civilian technicians not already included in 2a.
- e. Members of civil labour units excluding those who would be enlisted in the Royal Navy.
- f. Certain civilian members of Service sponsored organisations such as Naval, Army, Air Force Institutes and Services Cinema Corporation.
- g. Members of the Women's Royal Voluntary Service.
- h. Crews of Royal Fleet Auxiliaries.
- i. Chaplains' Assistants.
- j. DMS Welfare

The categories mentioned above are not exhaustive.

3. **Categories of Persons not Issued with F Ident 108.** The following categories will not be issued with F Ident 108:

- a. Families and dependants of Service and civilian personnel who as such accompany the armed forces.
- b. Civilian teachers (who stay with their schoolchildren).
- c. Persons who are to join the forces on mobilisation, e.g. certain retired officers.

d. Locally entered civilians (with certain exceptions which will be notified in due course).4. **Establishments Abroad - Responsibilities.** Establishments abroad who sponsor the various categories of civilians authorised to accompany the armed forces are responsible for checking, in time of war, that all entitled civilians have been issued with F Ident 108 cards by their appropriate civilian organisation and that the cards are correctly completed.

5. **Entitled Civilians Ordered Overseas in War.** Entitled civilians in the United Kingdom under orders for overseas in time of war are to be issued with an F Ident 108 card before departure by the civilian establishment division or other sponsoring authority.

6. **Entitled Civilians Serving Overseas in Peacetime.** F Ident 108 cards for entitled civilians serving overseas in time of peace are to be prepared in accordance with instructions to be issued by the appropriate civilian authority.

**4782–4785. Unallocated**



## CHAPTER 48

### SPARE

**CHAPTER 49****DISPOSAL AND RESERVE SHIPS**

*(MOD Sponsor: DRSO)*

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

**CONTENTS****Para**

- 4901. Disposal and Reserve Ships
- 4902. Reserve Ships (Ships in Extended Readiness - SER)
- 4903. Disposal Ships
- 4904. Disposal and Reserve Ships Organisation (DRSO)

## CHAPTER 49

## DISPOSAL AND RESERVE SHIPS

*(MOD Sponsor: DRSO)***4901. Disposal and Reserve Ships**

1. Disposal and Reserve Ships are subject to a variety of regulatory and guidance procedures some of them ad hoc. This Chapter describes where details of the authorities and procedures involved in preparing for and holding these ships in disposal or reserve custody can be found.

**4902. Reserve Ships (Ships in Extended Readiness - SER)**

1. The preparations are determined by the required end state, reactivation intentions and available budget. The notice for reactivation and consequent level of preservation (and whether crewed or uncrewed Reserve) is set by Navy Command and the Platform Authority (PA). Lay-up instructions are issued as necessary by the PA to achieve the end state such that the reactivation notice can be met. If required, RN personnel numbers will be decided by Navy Command in conjunction with the PA. Note that Navy Command may employ a number of different descriptors to Reserve/SER ships.

2. For uncrewed Reserve/SER ships the services of the Disposal and Reserve Ships Organisation (DRSO) should be called upon to provide guidance, instruction and project management including issuing the Disposal and Reserve Ships Manual Volume 1 (DRSM Vol1) "Preparing Ships for Preservation or Disposal". This to achieve a safe and uncrewed condition together with the installation of any preservation machinery called for by the PA. This machinery normally consists of externally powered dehumidification and cathodic protection plant in addition to a variety of other methods. The points of contact and instructions involved vary dependant on the level of preservation specified but are generally similar to that described below for Disposal Ships. DRSO is the MoD preferred custodian for uncrewed Reserve/Ships in Extended Readiness.

**4903. Disposal Ships**

1. General policy regulations for these ships, with emphasis on the broader safety issues, are contained in JSP 430 Part 2 Leaflet E1 To be replaced by the Defence Maritime Regulator/Defence Safety Authority Publications DSA02 and DSA03. It also contains details of the authorities involved and their primary functions during disposal. These authorities include the Platform Authority (PA) who bear responsibility for the control and funding of the ship disposal process and the Defence Equipment Sales Authority (DESA) who will attempt to market and sell the vessel either for further use or scrap recycling. BR3001 (Fleet Engineering Orders) Chapter 8 provides further information on disposal procedures from the Navy Command perspective. The Disposal and Reserve Ships Organisation (DRSO) issues a manual entitled, Disposal and Reserve Ships Manual Volume 1 (DRSM Vol1); "Preparing Ships for Preservation or Disposal" This has 3 chapters; the first gives an overview of the authorities involved and their points of contact. The second details basic reserve and disposal ship preparations such as to achieve a ship safe for dead ship custody and the third has planning and certification details.

2. Deliberate sinkings (SINKEX or Weapons Effects Trials (WEF)) may occasionally be ordered. Special preparations are made for these trials although the directions in DRSM Volume 1 will still apply.
3. DRSO is the MoD preferred custodian for disposal ships. Early notice and careful planning is needed in order to avoid alternative and expensive commercial ship custody costs.

#### **4904. Disposal and Reserve Ships Organisation – DRSO**

1. Prior to the start of the run-down process DRSO will issue the Disposal and Reserve Ships Manual Volume 1. Thereafter advice and project assistance will normally be provided by DRSO until formal hand over of custody and crew departure (N-ROLE). Normal run-down physical preparation times, utilising a near full ship's complement, from Fleet Non-Operational Date (FNOD) to crew departure (NRole) are as follows: MCMV = 4 weeks, FF/DD = 6-8 weeks, large auxiliary (RFA) = 10 weeks, LPH = 12 weeks. A dedicated DRSO Project Officer is provided during this period. Further information can be obtained from the Officer in Charge DRSO at PP21 HMNB Portsmouth PO1 3NJ. Tel. 02392 723270. E-mail: NAVY NBCP-BASE SVCS DRSO OIC or [robert.lane279@mod.gov.uk](mailto:robert.lane279@mod.gov.uk) Tel 023927 23270.

## CHAPTER 50

### SPARE

**CHAPTER 51****CASUALTY PROCEDURES**

(MOD Sponsor: NAVY NPS-PEOPLE SPT CRM SO1)

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

**CONTENTS****Para**

- 5101. Reporting
- 5102. Immediate Reports
- 5103. RN Personnel Serving in and with RN Operational Units Overseas
- 5104. Non Operational Death or Serious Injury Overseas
- 5105. Major Ship/Shore Incident (MSI) or Serious Aircraft Accident
- 5106. Non Naval Casualties
- 5107. Subsequent Action

**CHAPTER 51****CASUALTY PROCEDURES**

Full details of all aspects of casualty procedures, i.e. reporting, notifying NoK, funerals, graves etc are contained in JSP 751, Joint Casualty and Compassionate Policy and Procedures. All ships, establishments and units should adhere to the procedures contained in JSP 751 and ensure that copies are easily accessible by the appropriate personnel. The casualty procedures contained in JSP 751 are summarised in the Royal Navy Notification of Casualty Directive 2020, dated 12 October 2020.

The following general guidance is to be applied in all cases.

**5101. Reporting**

1. The Commanding Officer of the ship/unit/establishment is responsible for reporting all casualties.
2. All injuries and illnesses are to be reported by casualty signal as laid down in JSP 751, Volume 1, Chapter 2, Section 3.

**5102. Immediate Reports**

1. All casualties must be reported iaw instructions given in JSP 751, Volume 1, Chapter 2, Section 4. Where it is perceived that the casualty is non-contentious or unlikely to raise adverse publicity or ministerial attention the casualty reporting sections on JPA must be completed. Where this is not available or offline, units must send a 'NOTICAS' signal or fax to the Joint Casualty and Compassionate Centre (JCCC).
2. In all cases where sudden death has occurred or where injury is likely to attract Ministerial and/or press interest, signals are to be raised with the heading 'PUBLINT NOTICAS'. JSP 751, Volume 1, Chapter 2, Section 6 refers.
3. Units must alert the JCCC by telephone of all casualty occurrences of SI and above that a NOTICAS message is being sent. The JCCC will then notify the Royal Navy Casualty Cell, the single Notifying Authority for the Royal Navy (including Royal Marines).

**5103. RN Personnel Serving in and with RN Operational Units Overseas**

1. An immediate report of all casualties is to be made by the Commanding Officer to JCCC as detailed above, who will forward the key casualty information to the addressees listed in JSP 751, Volume 1, Chapter 2, Annex A and Appendix 1.

**5104. Non Operational Death or Serious Injury Overseas**

1. For all non-operational casualties where a ship/unit is abroad, in addition to the reporting requirements in JSP 751, Volume 1, Chapter 2, the Commanding Officer is to ensure that the Defence Attache/Defence Adviser of the Embassy or High Commission, or the British Consul is appraised of the situation. The name and telephone number of the official dealing with the situation locally should be passed to JCCC via the original NOTICAS or an update NOTICAS.

**5105. Major Ship/Shore Incident (MSI) or Serious Aircraft Accident**

1. In broad terms any incident of over 10 casualties, passenger carrying aircraft, or where the intensity of enquiries from anxious relatives or friends preclude the normal procedures is a potential MSI. The Head of JCCC (in accordance with JSP 751, Chapter 3) will decide on the activation of the MSI procedure.
2. For serious aircraft accidents, details of the additional procedures to be followed can be found in JSP 751, Volume 1, Chapter 3, Annex C.
3. For incidents involving submarines, the additional procedures required can be found in JSP 751, Volume 1, Chapter 3, Annex D paragraph 24.
4. The civil police will normally assume control of a major air or shore incident in the UK, irrespective of whether it occurs inside or outside a MOD establishment. JCCC will liaise as appropriate with the civilian police authorities.

**5106. Non Naval Casualties**

1. Details of Army, RAF, RFA, foreign and commonwealth forces serving alongside the Royal Navy are to be reported to JCCC as if the casualty was a member of the Royal Navy. JCCC is responsible for notifying the appropriate Service, High Commission or Embassy.

**5107. Subsequent Action**

1. Details of subsequent actions with the exception of Ship's/Regimental Investigation and Service Inquiries (see Chapter 57), are contained in JSP 751, Volume 1, Chapter 5.



## CHAPTER 52

### SPARE

**CHAPTER 53****ACCIDENTAL DEATH OR INJURY & INQUESTS**

*(MOD Sponsor: Navy Command Policy Secretariat (NC Pol Sec))*

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

**CONTENTS****Para**

- 5301. Casualty Reporting including Death in Service Procedures
- 5302. Unnatural Death or Serious Injury
- 5303. All Injuries Sustained on Duty to be Reported
- 5304. Sudden Death
- J5305. Inquiries into Death (see also J6104)
- J5306. Fatal Accident Inquiries in Scotland
- 5307. Spare
- J5308. Inquests Abroad
- 5309. Medical Expenses Abroad - EC Arrangements

## CHAPTER 53

## ACCIDENTAL DEATH OR INJURY AND INQUESTS

**5301. Casualty Reporting including Death in Service Procedures**

1. Casualty reporting is covered in JSP 751: Joint Casualty and Compassionate Policy and Procedures. JSP 751 outlines all details of casualty notification and the points of contact at JCCC who will manage the flow.

**5302. Unnatural Death or Serious Injury**

1. **Circumstances.** JSP 832 paragraphs 1.14 – 1.15 set out the circumstances in which a Service Inquiry is necessary, either as a matter of law or policy, following a death or serious injury. If, however, a Service Inquiry (SI) mandated by law or policy has been dispensed with by the Convening Authority, or is unlikely to be convened immediately, then, notwithstanding that a Police Investigation may or will be conducted, an Immediate Ship's Investigation (ISI)/RM Unit Inquiry (UI) – with analysis - should be held to establish the immediate facts, circumstances and chronology of events, and where anything of consequence may be learned to identify such matters, and in all cases where appropriate to inform the SI decision. Guidance on conducting a Ship's Investigation or Royal Marine Unit Inquiry is contained within BR 172 - the Yellow Guide (Guide to the Conduct of Unit Level Inquiries) issued September 2012. A copy of either a Service Inquiry or Ship's Investigation/Royal Marine Unit Inquiry report should be forwarded to the Ministry of Defence (Navy Command Policy Secretariat (NC Pol Sec)) through the Administrative Authority. JSP 832 paragraphs 1.28–1.32 and Chapter 57 of BRd 2 describe the Service Inquiry dispensation process in more detail.

2. **On Leave.** The death of a Serviceperson on leave should be the subject of a Service Inquiry if the criteria at JSP 832 paragraph 1.14 are met. Sudden or unexpected deaths in UK will usually be investigated by the civil police. JSP 832 Paragraph 1.15 sets out the policy requirement to convene a Service Inquiry where a serious injury is suffered as a result of a service organised activity. In cases of death or serious injury whilst on leave abroad from HM ships or establishments which are not to be investigated by a police force, or where it is considered that Service-related matters may not form part of such a (local police) investigation, then a Ship's Investigation/RM Unit Inquiry should be held into the incident, especially where criticism of, or legal proceedings against, the Ministry of Defence (Navy) may arise or where the public image of the Royal Navy is likely to be impaired because of the behaviour of the personnel involved, or if anything of consequence may be learned.

If no Service Inquiry/Ship's Investigation etc. is held when a death occurs, a copy of the Inquest and Police reports should be obtained and forwarded together with the Commanding Officer's covering remarks to the Ministry of Defence (Navy Command Policy Secretariat (NC Pol Sec)) through the Administrative Authority. In cases of serious injury, when not investigated by a Service Inquiry/Ship's Investigation/RM Unit Inquiry, a Police report on the incident should be obtained, if available. If this is not immediately available then a brief report by the Commanding Officer should be forwarded to the Ministry of Defence (Navy Command Policy Secretariat (NC Pol Sec)) through the Administrative Authority.

3. **Road Traffic Accident on Leave.** Where death or injury is due to involvement in a Road Traffic Accident whilst on leave from an HM Ship or establishment abroad, NC Pol Sec will request a copy of the Police reports into the accident in order that proper consideration can be given as to the requirement for additional service investigation(s). It should not normally be necessary to hold any formal inquiry or investigation unless the conditions referred to in Clause 2 above apply. In considering whether or not to hold an inquiry or investigation, it should be borne in mind that personnel who have returned from operational theatre or suffering from fatigue and stress through Service reasons will be of particular concern.
4. **Undetermined or Self Inflicted Death.** In cases of undetermined or apparently self-inflicted death, NC Pol Sec will request a copy of the Police report into the incident and seek advice (including the possible need to convene an Accident and Incident Advisory Panel (AIAP) meeting (see Chapter 57 for details) on the necessity to hold any formal service investigation(s).
5. **Service Inquiry.** Where a Service Inquiry is to be convened the procedures laid out in JSP 832 are to be followed. See also **Chapter 57**.
6. **Disappearance of Personnel.** The disappearance of a person who is missing in circumstances that point to the possibility of accidental death is similarly to be investigated and reported. See *also* **4002.Para 10**.

### **5303. All Injuries Sustained on Duty to be Reported**

1. All injuries which may be service-attributable should be reported to the Medical Officer of the Ship or Establishment and, where necessary or appropriate, investigated. This includes participation in games or other forms of physical recreation which have been organised by the Services.
2. Procedures for handling Employers's Liability and Clinical Negligence compensation claims made against the MOD by Service and ex-Service personnel can be found in DIN2016DIN06-011 and at Chapter 59 and Annex 59A. Naval Service Medical Board of Survey (NSMBOS) information is at BR1991 Chapter 8. Service veterans should also be advised to use the Veterans UK website to access SPVA information regarding service claims.

### **5304. Sudden Deaths**

1. See JSP 751: Joint Casualty and Compassionate Policy and Procedures

**J.5305. Inquiries into Death (see also J6104)**

1. **Inquests in England, Wales and Northern Ireland.** Since 1986 there has been a requirement for HM Coroners within England, Wales and Northern Ireland to investigate the deaths of any person who has died violently, unnaturally or suddenly from an unknown cause that fall within their jurisdiction. This includes members of the Armed Forces regardless of whether or not the death occurred on operations. When a Service person dies in such a way while in their Ship, Unit or establishment, the Commanding Officer is to ensure that their death is notified to the Coroner without delay for the district in which the body is lying or is brought to lie so that he/she may decide whether an Inquest is necessary<sup>1</sup>. The Commanding Officer or Police will provide the Coroner with details of the circumstances of the case and provide the names of any witnesses. If the body of any person subject to Service law who has died violently, unnaturally or suddenly from an unknown cause abroad or at sea is brought into a port, airport or airfield in England, Wales or Northern Ireland, the Commanding Officer is to report the particulars to the relevant Police authority who will liaise with the Coroner and take such action as would have been taken had death occurred there.

2. Other than the immediate action following a death described above, the Defence Inquests Unit (DIU) is the main point of contact between the Ministry of Defence and HM Coroner. The DIU will provide the Coroner with all military evidential material, except where the Royal Navy Police Special Investigations Branch (RNPSIB) work directly to the Coroner in place of the UK civilian police (for example, when the death occurs on a ship outside of UK waters, where the UK civilian police have no jurisdiction). HM Coroner will notify the DIU when an inquest is to be held. The DIU has responsibility to ensure that MOD Personnel involved in the inquisitorial process are informed. This includes writing to witnesses explaining the details of the inquest and the requirement for their attendance. Witnesses will also be provided with a copy of their witness statement.

3. **Support to Witnesses at Inquests.** The Coroner may decide to hold a formal inquest and, depending on the circumstances of the case, will call such witnesses as he or she sees fit. These may be expert witnesses, who can deal with the technical aspects of the death, or they can be witnesses to the fact – the people who saw what happened. This latter group can find the process of giving testimony in open court a very difficult experience as it requires the witness to relive in some detail what will inevitably have been a very traumatic experience. Naval Service witnesses attending inquest into the death of Service personnel will be provided with briefing material on the purpose of the Coroner's Inquest and giving evidence at the hearing either by the DIU or NC Pol Sec. In order to support and assist these witnesses NCHQ will provide Coroner's Witness Support Officers (CWSO) drawn from uniformed personnel employed in the Operational Stress Management (OSM) cell. Their role is to support all Naval Service witnesses before, during and after the inquest. The CWSO is to ensure that the witness is fully briefed on the procedure for the hearing and the potential aftermath of the experience of giving evidence. They will assist the NC Pol Sec in preparation for the hearing, and then attend in person to offer direct support throughout the hearing. When requested by the Visiting Officer, the DIU representative or the relevant caseworker within the NC Pol Sec the CWSO will also give support to bereaved families or other witnesses. In certain circumstances, the Witness Support Officers may be augmented by members of the Divisional and Regimental Support Team.

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<sup>1</sup> The role of informing coroners for operational deaths is conducted by JCCC in consultation with the Service police.

Should more detailed procedural advice be required on the witness role in the Inquest, this can be easily obtained from the Secretariat or Legal Staff. Members of the Naval Service should, in the first instance, contact the Navy Command Headquarters' Coroners' Witness Support Cell on 9380 28046 (BT 02392 573046). Witnesses should also read DIN2016DIN01-092 'Support available for staff giving evidence in legal proceedings'.

4. **Reports of Proceedings.** The DIU will provide a Case Officer to all inquests dealt with by them and will complete relevant reports post-inquest. These reports will include names of any known next of kin at the inquest, any unusual details/circumstances, and the verdict of the Coroner.. If an inquest is likely to attract public or press interest or to involve the disclosure of classified information, consideration will need to be given to providing a Ministerial Submission and Defensive Newsbrief prior to the inquest which will be produced, where appropriate, by the DIU or NC Pol Sec. See also JSP 751 Vol 2, Chapter 10.

5. **Inquests and Service Inquiries.** Guidance on the conduct and release of Service Inquiry reports can be found at JSP 832.

6. **Inquest Information for Next-of-Kin.** It is the responsibility of the Coroner to notify next of kin of the deceased of the time and place of the inquest. Support to the next of kin will be provided by the nominated Visiting Officer at all stages of the inquisitorial process. Travel and subsistence to support the family attendance at an inquest into the death of a Service individual is normally payable only if the inquest is into a death that has been attributed to Service (see JSP 751 Pt1 Vol 2 Chapter 10 Section 4). NC Pol Sec is responsible for preparing and releasing to the NOK any report into the incident in advance of the inquest.

7. **Legal Representation.** There is no legal requirement for any legal representation at an inquest. However, Departmental legal representation may be desirable at inquests on the following;

- a. Where MOD legal counsel will assist the Coroner in conducting an Inquest.
- b. Where the MOD requires to have the opportunity to question witnesses or challenge other counsels questioning.
- c. When an inquest is heard before a jury.
- d. Any death if circumstances are likely to give rise to legal proceedings involving the MOD. (This list is not exhaustive).

In such cases, the DIU, will approve and authorise such representation, via NC Pol Sec, and send a full statement of the case as soon as possible.

8. Where the MOD is legally represented, its legal representative will represent the interests of Departmental personnel. However, if the MOD's legal representative declares a conflict of interest, the MOD's legal representative can no longer subsume those individuals whose interests conflict with those of the Department. In such cases. the MOD will not arrange or pay for separate legal representation. Any legal representation that individuals may feel is necessary will be at their own expense.

## **BRd 2**

9. **Legal Representation by MOD.** When the MOD is legally represented, the legal representative is to be shown the full transcript of any Service Inquiry proceedings which may have been held (including the report of the board if this is available), or any investigation or inquest conducted abroad by foreign authorities into a death occurring there (see **J5308**) and is also to be given all such further information as requested or is thought necessary. The legal representative is responsible on behalf of the Services for arrangements connected with the conduct of the inquest. Any questions raised by the Coroner should be referred to the legal representative by the DIU..

### **J.5306 Fatal Accident Inquiries in Scotland**

1. In Scotland the Procurator Fiscal inquires into fatal accidents and sudden deaths by means of a Fatal Accident Inquiry. The considerations at J5305 apply.

### **J5307. Spare**

### **J.5308. Inquests Abroad**

1. In countries abroad where inquests or similar inquiries into the cause of death are held, the Commanding Officer is to report to the appropriate civil authorities as in **J5305.1**. When legal representation is permitted, legal advice and, if thought necessary, legal representation should be sought from DIU

2. Where a Service Inquiry is convened in accordance with JSP 832, it is to proceed independently of any Civil Inquiry.

3. The holding of an inquest or Civil Inquiry abroad does not preclude the possibility that a further inquest will be held in the UK if the body is repatriated. Where this happens, the Commanding Officer will arrange for the Coroner for the area in which the body will be brought to lie to be informed, in accordance with **J5305.1**.

### **5309. Medical Expenses Abroad - EC Arrangements**

1. In accordance with the provisions of the European Community Regulations on Social Security, UK nationals (including members of HM forces) may obtain emergency treatment while visiting another member state of the Community, such treatment being in accordance with the terms of the member state's own insurance scheme.

2. In certain member states (e.g. France) medical treatment is not provided wholly free of charge and personnel are warned that if treatment is obtained whilst on leave in these countries they may be liable for a proportion of the expenses involved.

3. Accounts for bills for hospitalisation should be forwarded to the Ships' Medical Officer or, if no longer alongside, the BRITMILREP for the country concerned.

## CHAPTER 54

### SPARE



**CHAPTER 55****WILLS AND EFFECTS**

(MOD Sponsor: Navy Command Policy Secretariat-1)

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

**CONTENTS****Para**

- 5501. Wills
- 5502. Return of Wills
- 5503. Distribution of Pay and Effects

## CHAPTER 55

### WILLS AND EFFECTS

#### 5501. Wills

**Guidance (along with all relevant forms) relating to Tri-Service arrangements for the administration of Service Wills can be found in 2014DIN01-174.**

1. **Methods of Compiling a Will.** The recommended methods of making a will which are available to Service personnel may be summarised as follows:

a. As for civilians:

- (1) By drawing up a Will on expert advice.
- (2) By using one of the printed forms which can be purchased.
- (3) By writing a simple Will on a sheet of paper.

b. Methods available to Service personnel only

- (1) Use of MOD Form No. 106 (see sub para 4).
- (2) Exceptionally, usually during war time, by making informal unwitnessed Wills, but these should be replaced with a formal Will at the earliest opportunity as stated in sub para 6.

2. **Applicability of Laws.** Subject to the exceptions stated in sub para 6, the laws which apply to the making of Wills by civilians apply to the making of Wills by members of the Armed Forces. The laws for England, Wales and Northern Ireland differ from those for Scotland and other parts of the world. Personnel domiciled outside these countries, or who are not British subjects, and who wish to make a Will are advised to obtain legal advice in order to ascertain the procedure which must be followed and the formalities which must be observed. Persons under the age of 18 years cannot make a Will under the law applicable to England, Wales and Northern Ireland. A Will made before the age of 18 does not become legal upon the writer attaining 18. A new Will must be written and signed/dated on or after their 18<sup>th</sup> birthday. Persons domiciled in Scotland may, however, make a Will at the age of 14 years.

3. **Commanding Officer's Responsibilities.** Whilst the MOD does not mandate which method is used, Commanding Officers are to ensure that all personnel entitled to make a Will are encouraged and provided with the opportunity to do so. Personnel making a Will should be advised that if for any reason they afterwards wish to change the distribution of their estate they should make a fresh Will. In addition Commanding Officers are to remind personnel that it may be desirable to make a Will (or a fresh Will) on any alteration of marital status or change of next-of-kin and that it is desirable to review the content of a Will on a regular basis and before proceeding overseas or on operational deployment.

4. They should point out that if no Will is made the estate (including money, balance of pay and personal belongings) must be distributed in the event of death according to the laws of the country of domicile governing intestate estates, which may result in the estate having to be distributed in a way which the deceased would not have wished, and that the nomination of a next-of-kin or emergency contact does not take the place of a Will. In the absence of a valid Will, the legal next of kin will inherit at least part of the estate, but not necessarily the full amount, as depending on the total value it may be necessary to protect the interests of any children of the deceased under the age of 18.

5. **MOD Form of Will.** A form of Will (MOD Form No. 106 Basic Will Form for Service Personnel) can be obtained from the Unit Personnel Office, or download off the Defence Intranet, this form provides a template for a basic Will where the distribution of the estate is limited to not more than four beneficiaries and no conditions are applied. Wherever the distribution of an estate is not straightforward (eg where it is to be split between numerous parties in varying proportions and/or subject to conditions) personnel are advised to consult a solicitor or specialist advisor. The attention of personnel using this form should be drawn to the Notes supplied with the form. Personnel may make their own arrangements for drawing up a Will if they prefer to do so and make their own arrangements for custody (see para 8).

6. **Informal Wills.** Service personnel, including those under 18 years of age, may be able to make informal unwitnessed wills during actual hostilities (eg such a Will would not be valid if written on an Operational tour unless they are under direct fire/bombardment). In the interests of their beneficiaries they should make a privileged Will at the earliest opportunity. Naval personnel under 18 years of age may also, when at sea, make a privileged Will, but it does not become legal upon the writer attaining age 18. A new will must be written and signed/dated on or after their 18<sup>th</sup> birthday.

7. **Completed Wills.** Completed Wills should not be kept with personal belongings, but should be deposited in safe custody (see para 8).

8. **Updated Guidance.** Service Personnel should always refer to guidance in the latest DIN and the JPA Business Process Guide (available on the SPVA Website) which describes the process of creating a simple Will using a MOD Form 106 and despatching it for storage at the Defence Handling Centre Glasgow (DHC). The following points are emphasized but the following must be checked against current guidance before dispatch to DHC.

There is a Service requirement to record the status and whereabouts of a person's Will on JPA, or the fact that the Service person (SP) has chosen not to make a Will or declare their intentions to the Services.

- a. Testators must read the notes provided with the MOD Form 106 carefully.
- b. No crossings out or corrections of any kind are allowed on the Will form. If a mistake is made a new form must be completed.
- c. The MOD Form 106 Will must be signed and dated not only by the testator but also by two witnesses to the signing who, unlike the executor, must not be beneficiaries of the Will.

- d. The completed Will form (or other privately created Will) must be sealed inside a MF106A pre-printed (C6 size) envelope and then placed inside an additional covering envelope, together with a completed JPA N004 Covering Letter, for despatch by Unit HR to the DHC by Recorded Delivery.
- e. On initial completion of or subsequent change to a Will, personnel should visit their administrative office where HR staff will record Will details on JPA. If the Will is held privately this information should be recorded on JPA. If the individual wishes to hold their Will privately as opposed to it being held by the DHC, the privately held Will details should be recorded on JPA by Unit HR Admin and a request is to be submitted to the DHC for the return of the obsolete Will to the individual. Single Wills should be sent under the cover of a JS Form JPA N004; while a JS Form JPA N004a should be used for multiple Will despatch. On receipt of the Will at the DHC, staff will update JPA accordingly.
- f. The receipt of the Will can be viewed on JPA by unit HR Admin and self service users under Self Service / Extra Information Types / Will Information. If JPA is not updated within 28 days the SP/Unit HR Admin should contact the JPA Enquiry Centre. As acknowledgement of receipt is visible on JPA, JPA Forms N004 or N004a will not be returned to units.
- g. Personnel who have chosen to create and store their Wills privately may continue to do so or elect to move their Wills to the DHC. In the latter case, due to storage constraints, all Wills must be made to fit the standard MOD Form 106A pre-printed, size C6 envelope before despatch to the DHC as described in para 8d above. Unit HR Admin are able to record Will location details on JPA.
- h. If a Service person wishes to revise a Will already stored by the DHC they may only do so by completing a new one and forwarding it to DHC. Any previous Will held shall then be returned to the Service person concerned for disposal privately. Note that MF 106 Wills cannot be amended; updating may only be achieved by replacement. Privately created Wills may be updated by replacement or by codicil (ie. additional modifying clause) for which the advice of a solicitor should be sought.
- i. If an individual holds a Will privately the details of the location and date of the Will should be held on JPA. An individual is to complete a JS Form JPA N006 declaring the location and date of completion of their privately held Will. These details are to be entered on JPA by Unit HR Admin and a copy of the JS Form JPA N006 held within the individual personal folder/documents. It is the responsibility of the individual to inform their Unit HR Admin about any changes to the location or date of completion of privately held Wills. If Service Personnel choose not to declare whether they hold a Will or if a Will has been made, where it is located, JS Form JPA N006 should also be completed to state as such.
- j. If an individual does not wish to complete a Will, they should make that declaration on a JS Form JPA N006. The details of this declaration are to be entered on JPA using the date of the JS Form JPA N006 in the date field, and the JS Form JPA N006 held within the individual personal folder/documents.

k. Whilst the making of a new valid will automatically revoke earlier wills, individuals who have previously lodged a will with the DHC but make a new will and store it under private arrangements are encouraged to request the return of their previous will from the DHC to avoid causing any possible confusion/additional stress to their NOK/executor over their wishes in the event of their death.

9. **Recording Location of Will.** The MOD does not mandate where any Will is stored, but Regular Service and Reserve personnel are able to store their Wills at the DBS Document Handling Centre (DHC) in Glasgow free of charge. This facility is available both for Wills created using the MOD Form 106 template and those created privately. Stored Wills may be replaced with new Wills at any time or, on request, returned to the testator (writer of the Will) without replacement. The despatch of Wills to the DHC should be undertaken by Unit HR Admin who are able to update the Will location fields on JPA. The mechanism and procedures are detailed in the “Administration of Wills” Business Process Guide which explains the actions to be undertaken when a SP brings a Will to the Unit HR Administrator for onward transmission to the DHC or the SP informs the Unit HR Administrator that their Will is held at a private location.

10. JPA self service users can view the current location of their Will through ‘JPA Self-Service’ ► ‘Wills Information’. In this area users will see their Will status including the date of signature, and if held at the DHC, the date of despatch from the unit and the date of receipt at the DHC. If a Will is held privately, the address at which it is held will be visible. The Legacy data entered by self service users prior to the March 2011 JPA upgrade will be viewable at ‘JPA Self-Service’ ► *Extra Information Types* ► ‘Miscellaneous Personal Details’<sup>1</sup>.

11. If a new Will has been written, or the location of an existing Will has changed, the SP should advise their Unit HR Admin staff so that the data on JPA can be updated without delay.

12. Unit Administrative procedures can be found in 2014DIN01-174.

## **5502. Return of Wills**

1. A Service person may remove their Will from DHC storage at any time by submitting a request in writing to the DHC for the return of the Will to themselves. The DHC will update JPA when a Will is returned and will enter details in respect of the return address.

2. On normal completion of service, any Will stored at the DHC will be returned to the Service Person together with their “Certificate of Service” to the post-Service correspondence address stored on JPA. It is therefore essential that all Service Personnel ensure that this address is correct prior to leaving.

3. In the event of a death in service, whether on operations or otherwise, the JCCC will request that any Will stored by the DHC be forwarded to them, who will in turn forward onto the nominated executor(s) at the address given on the Will form (or more up to date address if known by JCCC). Should the Will of a deceased person be recorded on JPA as being held privately (ie not held by DHC) JCCC will provide any details held on JPA to the NOK.

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<sup>1</sup> The old Self service Will fields will be removed from JPA at the end of March 2012.

**5503. Distribution of Pay and Effects**

1. Instructions for the distribution of pay and effects of deceased RN Personnel who die in service are contained in JSP 751, Joint Casualty Compassionate Policy and Procedures, Volume 2, Part 1, Chapters 6 and 7, which should be strictly adhered to in all cases. Where uncertainty arises, clarification is to be sought from the JCCC who are the lead authority on the distribution of pay and effects for the Armed Forces.

**CHAPTER 56****SEA CADET CORPS - DEFINITION OF DUTY**

*(MOD Sponsor: Captain Sea Cadets)*

This chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

**CONTENTS****Para**

5601. General

## CHAPTER 56

### SEA CADET CORPS - DEFINITION OF DUTY

#### 5601. General

1. **General.** The question of whether a particular casualty can be regarded as attributable to the special risks of Sea Cadet Corps duty will be decided by MOD(N). Normally all casualties resulting from:

- a. Pursuance of an authorised activity,
- b. Duly authorised trips in naval vessels,
- c. Duly authorised flying or gliding, and not contributed to by the negligence or misconduct of the victim will be so regarded.

2. **MOD Claims and Liability.** The MOD accepts liability in accordance with the Form of Indemnity with the Marine Society & Sea Cadets dated 5 Dec 2018.



## CHAPTER 57

### SERVICE INQUIRIES

(MOD Sponsor: Navy Legal Compliance SO1)

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

### CONTENTS

#### Para

- 5701. Convening a Naval Service Inquiry
- 5702. Single Service Inquiry Coordinator
- 5703. Convening of an Accident Incident Advisory Panel (AIAP)
- 5704. Conduct of a Naval Service Inquiry
- 5705. Service Inquiries into Apparent Undetermined or Self Inflicted Deaths
- 5706. Dispensing with a Service Inquiry
- 5707. Alternatives to a Service Inquiry
- 5708. Subsequent Staffing and Disposal of the Report of a Service Inquiry
- 5709. Defence Safety Authority Safety-Related Service Inquiries

### ANNEXES

Annex 57A: AIAP Flow diagram

## CHAPTER 57

### SERVICE INQUIRIES

#### 5701. Convening a Naval Service Inquiry

1. With effect from 1 April 2008 Service Inquiries into matters connected with Her Majesty's Forces may be convened on behalf of the Defence Council by any of the following Naval Service Convening Authorities:

Fleet Commander and Flag Officer Sea Training  
Second Sea Lord and Deputy Chief of Naval Staff  
Commander Operations  
Commander UK Strike Force  
Commandant General Royal Marines  
Assistant Chief of Naval Staff  
Director Acquisition<sup>1</sup>  
Director Develop  
Director Force Generation  
Director People and Training and Naval Secretary

2. The Armed Forces (Service Inquiries) Regulations 2008 also provide the flexibility for the bespoke appointment of other Convening Authorities by the Defence Council or by an officer authorised by the Defence Council should, exceptionally, the need arise.

#### 5702. Single Service Inquiry Coordinator

1. Deputy Director People (DD People) is the Single Service Inquiry Co-ordinator (SSIC) for the Naval Service; the authority and role of the SSIC is set out in JSP 832 Chapter 1 Annex A.

2. In particular, as Naval Service SSIC, DD People is responsible for co-ordinating and monitoring the progress of all Service Inquiries (SI) and potential SIs convened by a Naval Convening Authority, and for providing the Naval Service focus for the effectiveness of such inquiries and policy development. The SSIC is also to provide advice to Naval Service Convening Authorities on all aspects of the conduct of such inquiries, including whether to dispense with, defer, suspend or terminate a Service Inquiry.

3. Any exception to this process is by agreement of the SSIC on a case by case basis.

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<sup>1</sup> If the incumbent is an officer of or above the rank of naval captain, colonel or group captain subject to service law (Reg 3(2), The Armed Forces (Service Inquiries) Regulations 2008)

### 5703. Convening of an Accident Incident Advisory Panel (AIAP)

1. In the event of the death of a person subject to Service law, an AIAP must be convened to consider whether there is a requirement in law for a SI. In addition, an AIAP will be convened if any of the reasons for a discretionary inquiry are met<sup>3</sup>. The AIAP will be instigated by the relevant CoC and/or the SSIC.

2. **Chair.** The AIAP will be chaired by the SSIC. The CA/SSIC has responsibility for arranging the AIAP, activating the standing members and any necessary supplementary attendees.

3. **Timing.** An AIAP should be convened promptly, as soon as is practicable following an incident or accident occurring once any initial investigations/reports e.g. Immediate Ships Investigation / Unit Inquiry report are available.

#### 4. Standing Members of the AIAP.

Convening Authority / CoC sends representative at OF4/5 level.  
Legad (NAVY LEGAL-SO1 COMPLIANCE)  
PolSec  
RNP-SIB  
Navy Safety Director (NSD)  
DD People Co-ord

5. **Supplementary Members of the AIAP.** At the direction of the CoC, taking advice from standing members, additional members may be invited to attend the AIAP depending on the nature of the accident or incident. These are likely to be subject matter experts (SMEs).

6. **Role of the AIAP.** To advise the CoC whether a SI should be convened and/or what other forms of investigation may, will or should be conducted. If an SI is to be convened, the AIAP also have a role in drafting the ToRs for the SI. The chair of the AIAP must ensure that:

- a. The facts, as known, are presented to the panel and any initial reports or investigations in existence are made available to the panel.
- b. All panel members provide advice on their area of expertise.
- c. To aid their analysis, the panel discussion follows the process described in the flow chart at Annex A.
- d. A written record of the discussions and decision of the AIAP is made.
- e. If necessary, the Panel advise on who should be the appropriate Convening Authority.
- f. Following the meeting, written advice is provided for the CoC/Convening Authority on whether to convene an SI, stating factors considered and reasons.

<sup>3</sup> See JSP 832 paragraph 1.14 - 1.16.

#### **5704. Conduct of a Naval Service Inquiry**

1. All statutory Service Inquiries convened after 1 October 2008 are to be conducted in accordance with the Armed Forces (Service Inquiries) Regulations 2008 and JSP 832 (Guide to Service Inquiries).
2. Where the decision has been taken that a SI is to be convened, the AIAP are to draft Terms of Reference and legal advice for the SSIC's approval who will in turn liaise with the Convening Authority. The SSIC will consult with relevant SMEs and agencies as appropriate, to ensure the TORs are fit for purpose.
3. The SSIC, in liaison with the Career Managers, will ensure the SI Panel has been identified from the available resources. Further guidance on the composition of the SI Panel can be found at JSP 832 Chapter 2.
4. Once an agreed set of TORs have been drafted the CA will set a date to convene the SI at which time the CA and the SSIC will formally meet with the SI Panel to outline the scope of the inquiry and discuss the handling strategy.
5. Where the SI relates to a fatality, a copy of the TORs is to be passed to the Navy Command Policy Secretariat (NC Pol Sec) for release to the Next of Kin. The SI President should meet with the relevant case officer within the NC Pol Sec to discuss the handling strategy for the NOK, including release of regular updates on the progress of the Inquiry.
6. The SI panel members are to work to the guidelines laid out in JSP 832. Legal advice will be provided throughout by Naval Legal Services (NLS).
7. The SI President is to pass progress reports to the CA and the SSIC at an agreed timescale. JSP 832 dictates that this should be done every 30 days, but this may not be appropriate in every case, and as such, this should be agreed at the outset between CA, the SSIC and the SI President.

#### **5705. Service Inquiries into Apparent Undetermined or Self Inflicted Deaths**

1. In a SI into apparent undetermined or self inflicted death, the SI Panel should consult with DACOS Med Pers Pol.
2. In accordance with JSP 832 medical input is to be sought to assist in the interpretation of medical records.
3. NC Pol Sec will take the following actions prior to a convening order being issued in order to expedite the duties imposed on the SI Panel into undetermined or self inflicted deaths:
  - a. Personnel files and medical records should be obtained from the relevant departments.
  - b. DACOS Med Pers Pol should be consulted to explore the availability and/or level of psychiatric support available for a Service Inquiry.

c. All other investigation reports, such as those conducted by Service or Civilian Police Authorities, Ships Investigation and RM Unit Inquiry Learning Accounts etc, should be collated and made available to the Panel. See also **5302 para 4**.

#### **5706. Dispensing with a Service Inquiry**

1. A CA may decide to dispense with a SI where they consider that little of consequence would be gained by convening an Inquiry. Most commonly this occurs when a death appears non-contentious; often a result of natural causes where there has been no surrounding incident or accident. However, before taking such a decision a CA is required to liaise closely with the appropriate Single Service Inquiry Co-ordinator (in the Naval Service this is DD People) and other Subject Matter Experts and stakeholders, taking legal advice as necessary. The following process is to be followed:

2. NC Pol Sec have responsibility for obtaining the relevant information about the death in order for advice to be given to the SSIC. This could include, but is not limited to, some or all of the following:

- a. NOTICAS signal.
- b. JCCC documentation, including condolence letter, pen picture and JPA printout.
- c. Immediate Ship's Investigation/RM Unit Inquiry report.
- d. Information from the RNP SIB.
- e. Information from the Coroner, including pre or post inquest reports.
- f. Information from Next of Kin.
- g. Any welfare considerations.
- h. Any further information required from the unit.

3. NC Pol Sec will ensure that medical records are reviewed by MedDiv, and subsequently, that all available information is then passed to the relevant Regional Legal Office for written legal advice considering whether an SI should be dispensed with.

4. The file is then passed via Command Secretary to the SSIC for a recommendation, about whether an SI should be dispensed with. The SSIC must consider whether an AIAP is needed, or whether a recommendation can be made on the papers. The SSIC then makes a formal written recommendation to the relevant CA. The CA will then dispense or convene an SI.

5. Dispensation decisions are to be formally recorded by the SSIC and relevant CA.

### 5707. Alternatives to a Service Inquiry

1. Where, in accordance with the Armed Forces (Service Inquiries) Regulations 2008 and the guidance in JSP 832, a Service Inquiry is not mandated as a matter of law or policy, but it is considered that a lower level inquiry will facilitate a decision whether or not to dispense with a Service Inquiry, or a Service Inquiry has already been dispensed with, then a Ship's Investigation or Royal Marine Unit Inquiry may be ordered and conducted in accordance with Brd 172 Guide to Conduct of Unit Level Inquiries (The Yellow Guide) issued November 2019.
2. Service Inquiries and Ship's Investigations/Royal Marine Unit Inquiries may be conducted in parallel with or on completion of criminal, disciplinary or other professional investigations (such as by MAIB, MCA, HSE). On occasion, other ongoing investigations may take primacy. To avoid any risk of prejudicing an investigation being conducted by a law enforcement agency close liaison must occur between the SSIC/SI President and the relevant body. In such cases JSP 832 or BRd172 (the Yellow Guide) should be consulted as appropriate, and the advice of the relevant Staff Legal Adviser should be sought.
3. If the matter is safety related then the Navy Safety Director will advise the CA what level of safety investigation may need to be instigated. BR 10 Section 3 refers.

### 5708. Subsequent Staffing and Disposal of the Report of a Service Inquiry

1. **Staffing Routes.** Once the provisional report (see paragraph 5.3 of JSP 832) has been completed it should be forwarded to the relevant Staff Legal Adviser who will conduct the Legal Check, advising the President in writing (see JSP 832 paragraph 5.22), and provide advice to the Convening Authority on whether the Inquiry has met its terms of reference. The Staff Legal Adviser may also recommend further initial staffing, prior to the Convening Authority receiving the report. Once legal and any other staffing is complete, the President and members are to sign and then submit the provisional report and record of proceedings to the CA. Once the CA is content that the Inquiry has met its TORs, the final report is to be issued by the CA to the appropriate Naval and Joint Authorities (copied to Fleet Commander) to progress, or provide comment on, the recommendations made in the report. In parallel, two unredacted copies of the report (including all supporting evidence) will be dispatched to NC Pol Sec in order to facilitate the disclosure process laid down in JSP 832.
2. **SI Recommendations.** The SSIC is responsible for co-ordinating the completion of recommendations, reporting progress to the relevant CA and Fleet Commander. Final Reports, conclusions and recommendations are to be forwarded by the SI panel to the Navy Safety Centre for inclusion in the Navy Lessons Identified Management System (NLIMS) Any safety related recommendations will be tracked and reported by the NSC.
3. **Records.** A copy of the SI final report is to be kept by both the relevant CA and the SSIC/NSD.

## 5709. Defence Safety Authority Safety-Related Service Inquiries

1. With effect from 1 April 2015 the Director General (DG) Defence Safety Authority (DSA) has been appointed as the primary Convening Authority for all SIs into safety-related serious accidents and incidents. This includes Air Safety Occurrences, as the Military Aviation Authority (MAA) now forms part of the DSA. The SI procedure which the DSA will follow (including its interactions with the single Services) is contained within 'Defence Safety Authority SOP No: 01 – Service Inquiries'.
2. **Immediate Actions Post Accident Notification.** Following notification of a serious accident or incident the DG DSA will consult with the relevant Naval Operating Duty Holder (ODH) to discuss the matter and the potential requirement for a DSA-convened SI. The ODH will be the DSA's preferred single point of contact with the Naval Service, and so it is important that the ODH ensures that it passes information to all relevant areas within Navy Command at this early stage, and throughout the entire SI process.
3. DG DSA will look to deploy a specialist investigation team as soon as practicable after the incident. Normally within 24 hours of arrival on the scene, the team will produce a triage report to the DG DSA to inform the decision making process regarding the type of inquiry to be convened. The findings of the triage report will usually be shared with the ODH.
4. **DSA Decision to Convene.** The DG DSA's decision to convene a SI will generally be made within 48 hours of notification of the incident and will be informed by, but not limited to, available reports including the accident investigation team's triage report, the severity of any injuries, the extent of damage to any associated equipment, the degree of loss of capability and the significance of any environmental damage.
5. **SI Panel.** Once the decision has been made to convene, the DSA will contact the SSIC who will nominate appropriate Naval personnel in order to convene a suitably qualified and experienced SI panel as soon as possible but normally not later than 48 hours after the decision to convene. In nominating potential panel members, it should be borne in mind that they will be unavailable for other duties until released by DG DSA.
6. **Convening Order and Terms of Reference.** The TORS will be drafted by DSA SI SO1 in consultation with DSA Legal Advisor and the relevant ODH/SSIC. The TORs will be issued by DG DSA as an annex to the SI Convening Order.
7. **SI Updates.** The SI panel must provide DG DSA with regular updates. These will generally be provided every 30 Days. Updates may be released to the relevant ODHs where it is considered appropriate to do so.
8. **Finalising the Report.** The SI President will submit the provisional report and the record of proceedings to DG DSA as soon practicable. On receipt of this, DG DSA will consider whether the SI has met its TORs and is compliant with the relevant regulations and policy guidance. DG DSA will provide copies to the relevant ODHs for substantive comment to include factual and contextual checking. Responses will be incorporated in the Final Part 1 report as appropriate and will become a formal record in the Part 2.

## **BRd 2**

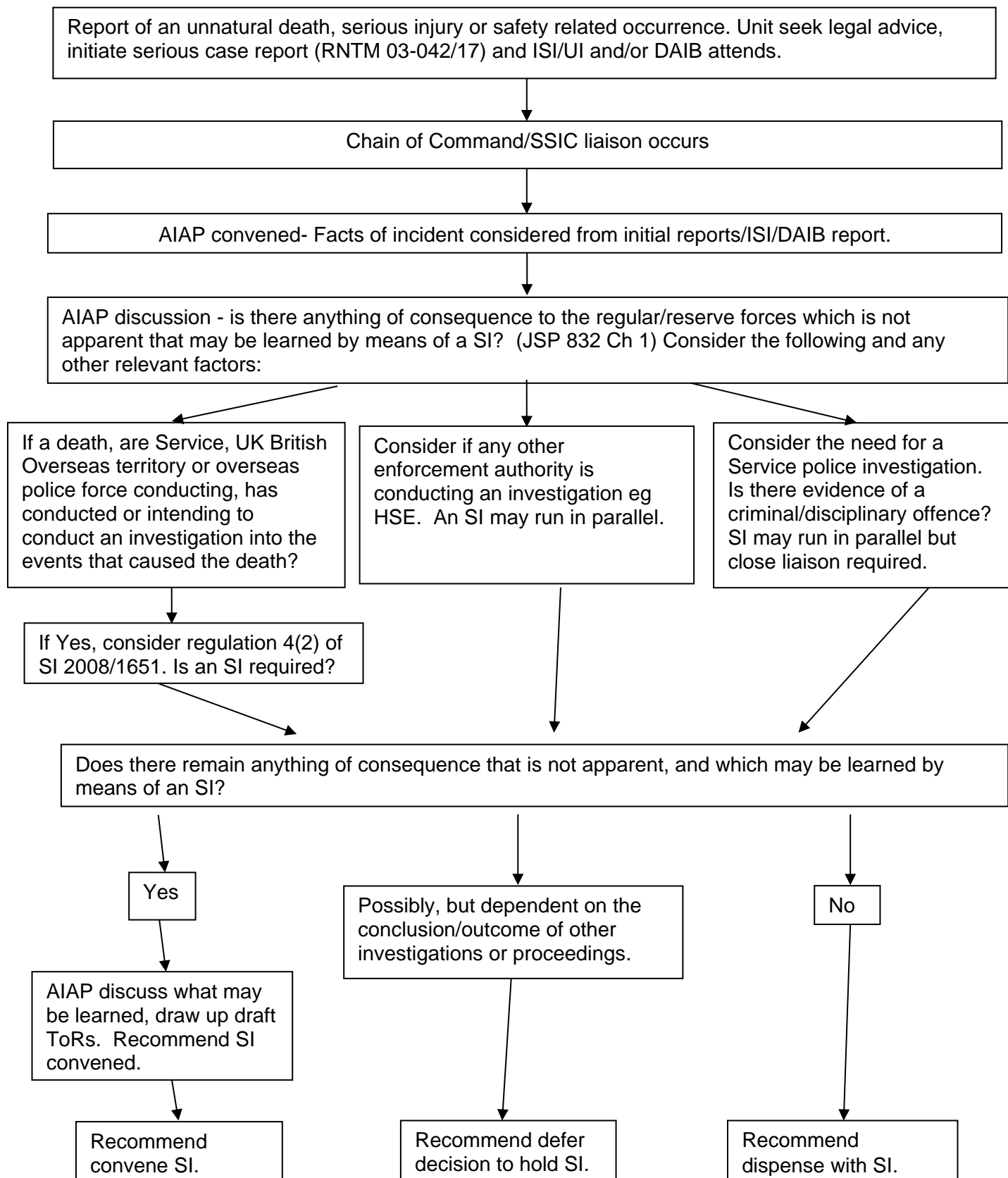
9. **SI Recommendations.** The DSA will record and track all DSA SI recommendations. They will be reviewed every 6 months for progress until formally closed by DG DSA. Where applicable, recommendations should also be recorded and tracked by Navy Command through NLIMS/FLIMS/DLIMS.

10. **DSA Decision to Dispense.** In circumstances when DG DSA has elected to dispense with a DSA SI, the Naval Service retains the right to conduct its own SI and instigate an AIAP or other non-Statutory inquiry/investigation. However, if during such subsequent investigation it becomes apparent that the matter was more serious than first assessed, further liaison with DG DSA would be wholly appropriate.



## ANNEX 57A

## AIAP Flow diagram - Identification of appropriate inquiry/investigation



**CHAPTER 58****LEGAL ADVICE AND PROCEEDINGS**

(MOD Sponsor: NAVY LEGAL-DISCIPLINE LAW SO1)

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

**Para**

- J.5801. Legal Advisers
- J.5802. Legal Advice
- J.5803. Civil Proceedings
- J.5804. Common Law Claims
- J.5805. Criminal Proceedings
- J.5806. Legal Proceedings against the Ministry of Defence
- J.5807. Institution of Legal Proceedings on Behalf of the Ministry of Defence
- J.5808. Civil Criminal Legal Proceedings Involving an Individual's Private Affairs
- J.5809. Civil Legal Proceedings Involving an Individual's Private Affair
- J.5810. Witness Evidence
- J.5811. Third Party Requests for Information for Legal Purposes
- 5812. Inquests
- J.5813. Bail Provision Abroad
- J.5814. Provision of Other General Legal Advice on Civil Law and Proceedings
- J.5815. Affidavits and Statutory Declarations Abroad
- J.5816. Certification of Legal Costs Abroad
- J.5817. Legal Aid for Individuals Under Service Arrangements
- J.5818. Employment Tribunals

## CHAPTER 58

## LEGAL ADVICE AND PROCEEDINGS



**Note.** *This chapter does not cover*

- a. *Jurisdiction in criminal matters—see Chapter 37 and JSP 830 , Manual of Service Law*
- b. *Trial by Service authorities—see JSP 830 , Manual of Service Law*
- c. *Accident claims cases—see Chapter 59*
- d. *Salvage and special services—see Chapter 46*

**J.5801. Legal Advisers**

1. **Civil Matters.** The legal advisers to the Ministry of Defence on civil matters in the United Kingdom are as follows:

England and Wales	Government Legal Department
Scotland	The Legal Secretary to the Lord Advocate (on Scottish law)
	The Solicitors to the Ministry of Defence in Scotland
Northern Ireland	The Chief Crown Solicitor, Belfast (on Northern Ireland law)

2. **Criminal Matters.** For criminal matters the legal advisers to the Ministry of Defence in the United Kingdom are as follows:

England and Wales	Government legal Department/Director of Public Prosecutions
Scotland	The Crown Agent, Edinburgh
Northern Ireland	The Chief Crown Solicitor, Belfast

3. **Service Law and Procedure.** A list of officers qualified to act in connection with naval Courts-Martial is held by Naval Legal Services. Advice on military law is provided for the Army by the Director of Army Legal Services and on air force law for the RAF by the Director of Legal Services (RAF).

4. **Outside the United Kingdom.** In some countries overseas, Government Legal Department's Agents or legal advisers to the Ministry of Defence are appointed (see Navy List); elsewhere, advice may be sought in colonies from the Law Officers, and in independent Commonwealth and foreign countries from Her Britannic Majesty's Representative, who should be asked by the senior officer of HM (Naval) Forces to recommend a local lawyer. The Government Legal Department's approval of such recommendations should be obtained through the Ministry of Defence.

**J.5802. Legal Advice**

1. **In the United Kingdom.** When legal advice is required, a clear and concise statement of the facts of the case on which opinion or action is sought is to be sent to the Ministry of Defence DC&L(F&S) (Legal) through the usual channels. In cases of urgency where legal proceedings against the Department or against a member of the Forces are imminent, a direct approach may be made to the appropriate legal adviser (see **J.5801**). In this event a report of the action taken and a statement of the facts of the case are at the same time to be sent direct to the Ministry of Defence DC&L(F&S)(Legal).

2. **Outside the United Kingdom.** When legal advice is required, it is to be obtained from Government Legal Department's agent or from the legal adviser to the Ministry of Defence; or, where such an adviser has not been appointed in the Command or Territory, from the person recommended under the procedure set out in **J.5801.4**. Except in cases of urgency, the approach to Government Legal Department's agent or to the legal adviser is to be made through the senior officer of HM Forces in the Command or Territory.

**J.5803. Civil Proceedings**

1. When an individual has been, or is likely to be, made a defendant in civil proceedings, arising out of an act which was sanctioned by Service authority or which occurred in the course of their duty, they are at once to report the matter to their commanding officer.

2. On receipt of a writ, summons or other legal document naming a Service person or the Department as a defendant in these circumstances, the commanding officer is to take action as follows:

- a. If it relates to common law claims for negligence, it should be sent to Claims and Legal (Finance and Secretariat) Claims, see para **J5925**.
- b. If it relates to an Employment Tribunal (Industrial Tribunal in Northern Ireland), the Originating Application (ET1/IT1) should be sent to Naval Legal Services.
- c. For all other civil proceedings, a copy of the legal document is immediately to be sent to Claims and Legal (Finance and Secretariat) Legal 1. A full statement of the facts is to be sent with the legal document whenever possible, but the forwarding of the document must not be delayed on this account. Further action is to be taken only on the instructions of C&L (F&S) Legal 1.

**J.5804. Common Law Claims** see Chapter 59, Section II.

**J.5805. Criminal Proceedings**

**1. Legal Representation of Service Personnel Facing Interviews Under Caution.**

The MOD does not pay for legal representation for personnel being interviewed under caution by either the Service or civilian police, or for legal assistance in advance of such interviews. Individuals attending for interview in circumstances where a “duty solicitor” scheme operates will be allowed the services of a solicitor free of charge, if they so wish. If they prefer to retain their own solicitor, this is to be at their own expense and the MOD will not reimburse the cost. Individuals being interviewed under caution by the Health and Safety Executive or the Environment Agency (where a “duty solicitor” scheme is not available) should contact the Directorate of Safety, Environment and Fire Policy (Finance and Secretariat) for advice.

**2. Legal Representation of Service Personnel Facing Criminal Charges.**

a. The Ministry of Defence has no responsibility in law to provide legal representation for personnel involved in any criminal proceedings. The decision whether or not it should support personnel in such circumstances is one of Departmental policy. Personnel should be reassured, however, that they will not be abandoned by the Department when their work takes them into difficult or unusual circumstances.

b. In certain circumstances the Ministry of Defence will consider paying for the defence of an individual charged with a criminal offence, including payment for legal representation before and during interview under caution. An individual in this position, either at home or abroad, may apply to the Department for funding for legal representation. In considering such applications, the Ministry of Defence will have regard to the following:

(1) Whether the alleged act was committed in the course of the individual’s employment/duties and in accordance with any applicable regulations, instructions or orders (in so far as this can be determined at the time);

(2) The implications for Ministry of Defence policy, regulations instructions (e.g. rules of engagement, operational procedures) and other relevant interests (this would include proceedings before international courts or tribunals); and

(3) The seriousness of the offence, the possible punishment and its impact on the individual’s liberty and livelihood. (Departmental funding will not, as a general rule, be provided for those criminal charges in domestic courts that fall outside of the legal aid scheme such as minor driving offences).

(4) The apparent weight or strength of evidence against an individual is not relevant. The decision to grant or refuse Ministry of Defence funding of legal representation is taken by the Director C&L(F&S), in conjunction with the Ministry of Defence Legal Adviser and the appropriate single Service staffs.

c The presumption will be that the cost of defence will be borne by the Ministry of Defence if the alleged offence was committed in the course of the individual's duties and the proceedings have implications for Departmental policy, regulations and instructions (e.g. rules of engagement or operational procedures) or other relevant interests. Where the Ministry of Defence does not fund the legal representation, personnel will have to apply for legal aid (if available) under the normal rules of eligibility or pay for their own representation.

d. See para **J5817** regarding proceedings which do not fall within this regulation.

#### **J.5806. Legal Proceedings against the Ministry of Defence**

1. When legal proceedings (including arbitration proceedings) are instituted against the Ministry of Defence the procedure is as follows:

a. **In the United Kingdom.** The Commanding Officer is to take the same action as set out in **J.5803**.

b. **Outside the United Kingdom.** The relevant facts are to be reported immediately to the senior officer of HM Forces, who will notify DC&L(F&S)Legal 1 and forward a full statement. Further action is to be taken as directed by DC&L(F&S)Legal 1, but the senior officer overseas, after consulting the appropriate legal adviser, is to take whatever action is necessary to protect the interests of the Ministry of Defence pending receipt of instructions.

#### **J.5807. Institution of Legal Proceedings on Behalf of the Ministry of Defence**

1. The institution of civil proceedings on behalf of the MOD is to be undertaken only on the authority of the Department.

#### **J.5808. Civil Criminal Legal Proceedings involving an Individual's Private Affairs**

1. **Legal Advice and/or Representation. See J.5809.4**

2. **Attendance of Personnel at Civil Courts.** When an individual is charged by a civil court in respect of a criminal offence relating to their private affairs, they are to report the matter immediately to their commanding officer in order that the necessary arrangements may be made for their attendance at the court and for other relevant Service action to be taken as prescribed in regulations. They are also to inform the commanding officer if they intend, where appropriate, to plead guilty by letter without appearing in court. See also **J.5809.5–J5809.6**.

#### **J.5809. Civil Legal Proceedings involving an Individual's Private Affairs**

1. **Service of Writs, Summonses or other Processes.** Service authorities are not responsible for the service of process on personnel who, in their private affairs, are a party to legal proceedings in the civil courts either in the UK or abroad. Commanding officers may nevertheless assist solicitors to the extent described below. (For the service of process in respect of maintenance proceedings, however, see JSP 754 Tri-Service Regulations for Pay and Charges).

## BRd 2

2. If the individual is serving in the UK, he/she is to be told of the process and, if he/she is willing to accept service, mutually agreeable arrangements are to be made for him/her to meet the process server. If the individual is unwilling to accept service, he/she is to be advised that other means of service may be available, the cost of which they may have to bear if they are the unsuccessful party in any subsequent action. If he/she nevertheless persists in refusing to accept service, the solicitor is to be advised that the commanding officer can do no more to assist.

3. The commanding officer is to provide the same assistance as in **J.5809.2** if the individual is serving abroad, provided the solicitor has obtained leave of the court to serve process overseas. Otherwise, the solicitor is to be informed that no assistance can be given pending the individual's return to the UK, the approximate date of which may be given. Similar assistance should be provided in respect of the service of foreign court orders where such a duty exists under the NATO Status of Forces Agreement or a Memorandum of Understanding.

4. **Legal Advice and/or Representation.** Since the actual or potential legal action relates to private affairs, the MOD will not pay for either legal advice or any subsequent legal representation. Legal advice and assistance for personnel in commands abroad may be available from Service lawyers under the terms of their single Service regulations.

5. **Attendance of Personnel at Civil Courts.** If, at a time when required to attend in person at a civil court in whatever capacity, the individual concerned is (or expects shortly to be) under orders to proceed outside the UK or otherwise outside the jurisdiction of the courts, they are to inform their commanding officer without delay. The commanding officer is immediately to notify the facts to higher authority. No assistance by way of payment of expenses is to be made to an individual to appear before a civilian court where the matter is not duty related.

6. Commanding officers are reminded that, in the UK, an individual must attend court when summoned to do so. If they do not attend, he/she may be prosecuted for contempt and action may also lie against anyone who sought to prevent the individual's attendance. The position is not necessarily the same for personnel summoned by foreign courts and commanding officers should be guided by the appropriate legal advisers. It is open to commanding officers to ask the civilian authorities to adjourn a hearing, on the grounds that the date chosen is particularly detrimental to the Service interest, but permission must nevertheless be given for the individual to attend if the summons has not been cancelled by the time it falls due to be answered.

### **J.5810. Witness Evidence**

1. Service personnel may occasionally be asked to give evidence on a variety of matters. There are two categories of witnesses: a witness of fact and an expert witness.

2. **Witness of Fact.** (This category includes both observers of an incident and individuals who have knowledge of Service/MOD procedures). MOD has a duty to assist the Court in the giving of information likely to resolve the issues before it. It is quite permissible for a witness to give such evidence as is required of them at a Court hearing, subject to any security/sensitive considerations. The witness must stick to the facts and refrain from proffering a personal view.



Expressions of opinion must be avoided unless specifically asked. **The criteria to be used in nominating witnesses to attend Court to represent MOD regarding knowledge of Departmental procedures should be their suitability to answer the type of questions likely to be asked and their experience.**

3. **Expert Witness.** The role of an expert witness, acting in an official or private capacity, is to assist the Court by presentation of their evidence, rather than to help either party to the proceedings. This applies to both criminal and civil proceedings, regardless of which party has asked the witness to appear. An expert witness should present their evidence with strict regard to the truth, accuracy and completeness. If the Department is asked by a party to litigation other than the Crown to provide an expert witness, the request should be declined – unless the evidence required is peculiar to the MOD – on the grounds that it is not the Department's policy to supply expert evidence. The enquirer should be advised to seek assistance from a professional consultant.

4. Further guidance can be obtained from DC&L(F&S)Legal 1.

#### **J.5811. Third Party Requests for Information for Legal Purposes**

1. Where the request relates either to an action or potential action to which the MOD is not a party, or to criminal proceedings, the advice of DC&L(F&S)Legal 1 is to be sought in the first instance.

2. *(Navy only).* Request for information, documents or records concerning Service matters or members of the Services which are received from solicitors or others in the United Kingdom in connection with actual or potential litigation or criminal proceedings are to be submitted to DC&L(F&S)Legal 1 and the enquirer is to be informed of the action taken.

3. *(Navy only).* Overseas, Commanding Officers should submit the request to the senior officer of HM Forces in the Command or Territory, who will, as necessary, consult the local legal adviser. Where there is no senior officer, Commanding Officers are to consult the local legal adviser as to the action to be taken.

4. *(Navy only).* See also Section III, on enforcement of maintenance liabilities, JSP 440 on disclosure of addresses, and QRRN Article 7705 on disclosure of medical records.

#### **5812. Inquests**

1. Inquests in the United Kingdom are dealt with in **J.5305** and inquests abroad in **J.5307**.

#### **J.5813. Bail Provision Abroad**

1. Where Service personnel charged with criminal offences in civil courts abroad can obtain release from custody on providing bail, the senior Service officer in the command or territory or the commanding officer of an HM Ship may, if necessary, make advances from public funds in respect of the sum required for bail and any incidental fees. Each case is to be considered on its merits, depending on the nature of the alleged offence and the character of the person concerned.



## **BRd 2**

2. The following conditions apply:
  - a. The individual concerned must be unable to find the money themselves or obtain it from any other source.
  - b. There is to be no unreasonable risk that the recognizance might be forfeited.
  - c. The individual concerned is to sign an acknowledgement at the time when the bail is paid into court that they have received the loan, which is repayable on demand, and that immediate recovery may be commenced by deduction from their pay by instalments. They are also to acknowledge that upon return of the bail money or any part thereof they will then pay such money to the Service or such part thereof as may be required to repay the loan and in the event of forfeiture of the bail the amount outstanding shall be immediately repaid, unless forfeiture was caused by reasons outside their control, in which case recovery should be by monthly instalments over a period described in single Service regulations.
  - d. Action is to be taken by the commanding officer of the individual concerned to ensure that the bail money is duly handed over to the court authorities at the appropriate time and, whenever such procedure permits, in the presence of the individual concerned.
  - e. The bail money must be paid to the court by or in the name of the individual concerned and not in the name of the Service, the commanding officer or any other person.
3. Bail should only be advanced if it is in the interests of the Service that the individual concerned be released from custody of the overseas court. Bail should not be advanced if there is a likelihood of the individual's discharge from the Service before the debt could be repaid.

### **J.5814. Provision of Other General Legal Advice on Civil Law and Proceedings**

1. When other legal advice on civil law and proceedings is required, the question should be phrased as clearly as possible and supported by a concise statement of the facts of the case. The request is to be sent to C&L(F&S)Legal, who will consult the Department's legal advisers as appropriate.

### **J.5815. Affidavits and Statutory Declarations Abroad**

1. Outside the United Kingdom, officers subject to the Service Discipline Acts, of the regular forces of or above the rank of Lieutenant-Commander/Major/Squadron Leader (and Service Legal Officer of the rank of Lieutenant/Captain/Flight Lieutenant are empowered in certain circumstances to take affidavits and statutory declarations from members of Her Majesty's Forces or of a civilian component of those forces.
2. Instructions on the procedure for taking affidavits and statutory declarations are given in JSP 830, Manual of Service Law.

### J.5816. Certification of Legal Costs Abroad

1. When the Ministry of Defence or a member of the Services has been advised or represented at places abroad in accordance with the preceding regulations, the bill in respect of the lawyer's fees is to be dealt with as follows:

a. It is to be endorsed before being passed for payment locally or before dispatch to the Ministry of Defence, as indicated in d, with a certificate from the instructing officer to the effect that:

- (1) The instructing officer gave instructions for the work to be performed; and
- (2) The work was done by the lawyer in accordance with instructions.

b. When the bill is over £50 and it is not covered by c, it is to be taxed locally before it is passed for payment (see note).

c. Where the bill is over £50 and the fee is within the contractual scale agreed between the Government Legal Department, the Ministry of Defence and the lawyer concerned, the bill need not be taxed locally before being passed for payment.

d. Where the bill is over £50 and cannot be taxed locally because there are no facilities for this to be done, the bill together with all disbursements, which are to be separately vouched, is to be forwarded to the Ministry of Defence DCS LAW DISC which will obtain the authority of the Government Legal Department for local payment of the bill.

e. Where the bill is £50 or less there is no need for it to be taxed locally. Provided the instructing officer is satisfied that the charges are reasonable the bill may be paid locally.



**Note.** 'Taxing' in this context means certification by an official of the court that the lawyer's costs are reasonable for the work performed.

### J.5817. Legal Aid for Individuals under Service Arrangements

1. **Criminal Proceedings.** Legal aid, i.e., representation by a civilian solicitor or counsel, may in appropriate cases be made available through Service channels:

- a. For the defence of service personnel, members of the civilian component and dependants charged before criminal courts abroad (but for offences committed on duty, see **J.5803**);
- b. For the legal representation of persons subject to service law at custody hearings;
- c. For the defence of service personnel, charged before courts-martial;
- d. For the defence of civilians subject to Service law who are charged before standing civilian courts and/or courts-martial abroad; and

e. For the preparation of petitions, appeals and applications for leave to appeal in respect of persons convicted by standing civilian court, court-martial or for appeals to the Summary Appeal Court

2. When it appears to the Commanding Officer that an accused or convicted person for whom he/she is responsible may be eligible for a grant of legal aid, he/she is to arrange for that person to apply for legal aid to the appropriate Service legal aid section.(see JSP 838: The Armed Forces Legal Aid Scheme).

3. **Non-Criminal Proceedings (i.e., Matrimonial Matters, Traffic Accident Claims, etc.).** The Royal Navy, Army Legal Aid (Civil) and the Directorate of Legal Services (Royal Air Force) operate schemes for the assistance of service personnel abroad and, to a lesser extent, those at home, in legal matters of non-criminal nature, i.e., matrimonial matters, traffic accident claims, etc. Help is also given to next-of-kin who may have a legal course of action as the result of the death of a service person. Advice given by Service lawyers is free of charge. The Services do not, however, provide financial assistance to cover travel to and from legal offices or other expenses and fees, e.g., the cost of obtaining marriage certificates or other evidence and the fees of inquiry agents or solicitors.

4. The schemes referred to in Clause 3 above include procedural guidance for claims made under the MOD Criminal Injuries Compensation Scheme and the provision of the names and addresses of civilian solicitors who may be willing to act in the preparation of a claim which may arise out of injuries sustained while on duty. Apart from those matters, the schemes referred to Clause 3 do not cover any claim by service personnel against MOD or any other Government department, on any matter concerning discipline courts-martial, pay and allowances, or any matter affecting the service person in their capacity as such.

### **J.5818 Employment Tribunals**

1. Service personnel have certain rights to pursue claims at Employment Tribunals (Industrial Tribunals in Northern Ireland). However, they are required to have first made a Service complaint about the matter under the Service redress procedures and that complaint must not have been withdrawn. The Service complaint process is detailed in JSP 831 (Redress of individual grievances: Service complaints). Before bringing an Employment Tribunal claim the Service person must first have engaged the Advisory, Conciliation and Arbitration Service (ACAS) which will offer Early Conciliation to try and help settle the dispute without the need to lodge a tribunal claim. If that fails, however, the Service person is required to arrange for an Originating Application (an ET1/IT1) to be issued at a Tribunal Office. This sets out in detail the complaint and the remedy being sought, and will be sent to the named Respondent, normally "the Ministry of Defence". The MOD has only 28 days from the Employment Tribunal Service's issuing of the ET1/IT1 to respond. Any applications received by a unit must be sent immediately to Navy Legal-Litigation, care of Naval Legal Services who on receipt of the ET1/TT1 will arrange with the Government Legal Department, MOD's legal representative, for the MOD's Grounds of Resistance (the ET3/IT3) to be issued.

2. Where the MOD accepts liability for the actions of its personnel, its legal representation will subsume the interests of individuals defendants. However, if the MOD's legal representative declares a conflict of interest, the MOD's legal representative can no longer represent those defendants whose interests are in conflict with those of the Department. In such cases, the MOD will not arrange or pay for separate legal representation. Any legal representation that individuals may feel is necessary will be at their own expense.

## CHAPTER 59

### COMPENSATION AND CLAIMS

(MOD Sponsor: DJEP CLCP)

This chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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## CHAPTER 59

## COMPENSATION AND CLAIMS

## SECTION I - COMPENSATION FOR LOST AND DAMAGED SERVICE KIT AND PERSONAL EFFECTS

**5901. General**

1. This instruction provides for compensation to be paid to Royal Navy and Royal Marine personnel for loss of, and/or damage to, uniform clothing, Service kit and equipment, personal and family effects in circumstances arising from 'exigencies of the Service', including maritime incidents such as those listed at **5929** and relate only to *ex gratia* payments. Where a claim is made which alleges negligence on the part of the Ministry of Defence, its servants or agents, the claim should be submitted to Directorate of Judicial Engagement Policy Common Law Claims & Policy (DJEP CLCP), or the appropriate Area Claims Officer, in accordance with **J.5924**.

2. Claims from Service personnel for loss of and/or damage to personal property arising directly or indirectly out of the performance of the claimant's official duties, which are classified as regulatory claims, have now been delegated to all local management areas and these claims are to be considered on an *ex gratia* basis. Claims for loss of and/or damage to personal property which arise out of an alleged negligent act or omission on the part of the MOD are not regulatory claims, but are Common Law claims against the Department, and should be referred immediately for attention to DJEP CLCP, Floor 3, Spine 3, Zone I, Whitehall, London SW1A 2HB or the local Area Claims officer in accordance with **J. 5924**.

**5902. Insurance**

1. Except to the extent permissible under **5904**, compensation will not be paid for any loss or damage which arises from the ordinary risks of civil life such as fire, theft, loss in transit etc. since such risks are insurable. The fact that these risks arise during Service life does not mean that they arise from an 'exigency of the Service' or are uninsurable risks. All personnel are therefore strongly advised to protect themselves against loss for which compensation cannot be granted from public funds or for which under **5903** only limited compensation can be granted, by purchasing insurance against these risks to cover losses or damage to all personal property and family effects.

2. Baggage should always be insured against risk of loss or damage in transit whether or not it is accompanied by the owner and in particular for moves to and from the United Kingdom and between overseas stations (*but see 5904.2b*).

3. **Claims.** Claims to compensate for losses occurring during transit should be made against the carrier company or an insurance company. It is important that claims are made in writing within the periods prescribed in the company's regulations. Failure to obtain compensation because a claim is not made in due time or is otherwise invalid, or because insurance has not been taken out to cover the articles and risks described in **5902.1** will not be accepted as grounds for an appeal for compensation from public funds. Any legal costs incurred by individuals in pursuit of insurance claims will not be borne by the MOD.

4. **Public Property - Loss or Damage.** Personnel are advised that they may be liable to make good loss or damage to public property, such as clothing, accoutrements, etc., that they hold on personal charge, if the loss or damage has been caused through negligence on their part. In addition to insuring against loss of personal private property from the normal hazards of fire, theft, damage etc., it might therefore be in their interests to insure any public property on personal charge. Personnel will not be held responsible for loss or damage which, after due investigation, was deemed to be outside their control.

5. The arrangements for claims arising from loss of and/or damage to personal property on RAF Flights have been delegated to Business & Finance Unit, RAF Brize Norton, Carterton, Oxon, OX18 3LX and all such claims should be forwarded to them for investigation and consideration of an *ex gratia* payment in accordance with **5906**.

**5903. Items for Which Compensation may be Payable**

(see also JSP 752 Tri-Service Regulations for Expenses and Allowances, Chapter 10, Section 4)

1. Compensation may be granted in respect of the following articles, subject always to the conditions in **5904**:

a. Items of uniform clothing, Service kit and equipment unless there is an entitlement for free replacement through Service sources.

b. Privately owned books or instruments used for the benefit of the public service.

c. Articles of civilian clothing where such clothing has been specially ordered to be worn on duty. Compensation will not be admitted where the clothing was purchased as a result of a grant from public funds.

d. Personal and family effects and other clothing (not otherwise excluded in these regulations) which it was reasonable for the individual to have in his or her private possession at the time of loss, namely:

(1) Personal toilet requisites, civilian clothing and sports gear.

(2) Other personal possessions (if not otherwise excluded, or provided for, in these regulations).

e. Compensation in respect of family effects of individuals will be assessed to the extent to which such articles replace conventional articles and on the basis of the value of the latter.

f. Private furniture not under **5903.(e)**. but within the scales laid down for single officers' quarters furnished at public expense.

g. Mess and band property, limited to articles considered necessary and in the case of mess property excluding silver, plate, consumable stores and any items provided as an approved official issue.



#### **5904. Conditions under which Compensation is Payable**

1. Compensation may be given subject to the following conditions:
  - a. Loss or damage must have been due to the exigencies of the Service.
  - b. The loss or damage was not due to carelessness or negligence on the part of the owner or their representative and could not have been avoided by them; and
  - c. No compensation is payable under an insurance policy or from any other source.
2. Loss or damage will be regarded as due to the exigencies of the Service when it arises out of any of the following circumstances:
  - a. The conditions of active service, i.e. when warlike operations are in progress or threatened.
  - b. During transit at public expense where normal insurance against loss was unobtainable—this would apply to loss of or damage to baggage including private and family effects, furniture and household goods occurring in transit at public expense.
  - c. Accidents occurring on duty, including road or air accidents (see also Annex 87A).
  - d. Fires in ships, barracks or other Service accommodation except in cases where it is clear that the Ministry of Defence has no liability.
  - e. Loss of or damage to property handed into the unit store or otherwise entrusted to official custody during the absence of the owner on leave etc.
  - f. Destruction by official order to prevent the spread of infectious or contagious disease.
  - g. Collision or other navigational incident (including sinking or flooding) involving a ship or vessel.
  - h. Damage due to faulty condition of Service premises.
3. **Infected Uniform.** If infected uniform is ordered to be destroyed, and the destruction is regarded as an exigency of service, compensation may be assessed in accordance with **5907**. A list of the articles destroyed should be made and a certificate from the Medical Officer stating the necessity for destruction attached.
4. **Exceptional Causes.** Claims for loss or damage arising from exceptional causes outside the definition of exigencies of the Service and which were not insurable risks may receive special consideration. Any claim under this paragraph must satisfy the requirements of **5904. 1b and c**.

## **BRd 2**

### **5905. Inadmissible Claims**

1. Compensation will not be paid for:
  - a. Claims submitted more than one month after the date of loss or damage.
  - b. Losses or damage sustained when proceeding on or from leave.
  - c. Losses of money.
  - d. Any loss or damage with a total value of less than £20.
  - e. Loss of or damage to tools in excess of the minimum tool kit of the claimant.
  - f. Loss of or damage to clothing and items issued on personal loan - such claims within accordance with **BR 96**, Materiel Accounting and Storekeeping Manual, and when appropriate for Royal Marines - Army accounting procedures.
  - g. Losses of or damage to items of uniform held in excess of the regulation kit (both optional and compulsory).
  - h. Loss of uniform headgear blown overboard in inclement weather other than in exceptional circumstances.
  - i. Damage caused to a private motor vehicle or aircraft except where it is a common law claim or there are exceptional circumstances governed by **5904.4**.
  - j. The private property of domestic employees whose personal effects should be fully insured against all risks.
  - k. The loss of property by theft.
  - l. Any articles covered by insurance.
  - m. Consumables.
  - n. Articles with a luxury, artistic or antique value.
  - o. Accidental or deliberate damage to personal effects caused by a third party.

### **5906. Investigation of Claims**

1. On receipt of a claim the Commanding Officer is to order an investigation as soon as conveniently possible, detailing two officers, or one officer and one Warrant Officer for claims by ratings/ranks, to conduct it. These officers are to enquire into the circumstances of the loss or damage and provide a report:
  - a. Describing the circumstances of the loss or damage.

- b. Certifying whether or not:
    - (1) The claim is admissible and, if it is, under which category in **5903**.
    - (2) The relevant conditions in **5904** have been met.
  - c. Describing the measures taken to effect recovery, if appropriate.
2. If the claim is for damage, the investigating officers should also include or state:
- a. The nature and extent of the damage.
  - b. The action taken by the claimant to have the article cleaned or repaired. Items should be repaired whenever economically possible and claims are to be supported by receipted bills. The full cost of cleaning or repair may be paid provided that this does not exceed the depreciated value of the article for which compensation has been claimed. If the article is deemed to be beyond economical repair, a certificate to that effect should be obtained from a reputable firm.
  - c. The actual cost or estimated cost of repairs or cleaning, or the estimated reduction in value of the article as a result of the damage - whichever is the greater.
  - d. Witness statements if available.
  - e. Confirmation that the article was not covered by insurance or any other provision for replacement.
3. Claims are to be submitted to the local management authorities, on JPA F014 together with a copy of the investigation report (if deemed necessary).

### **5907. Assessment of Compensation**

1. The assessment of compensation proposed by the investigating officers should be shown in cash. Compensation for items of compulsory kit and personal effects should be assessed on the current cost of replacing the article by a new one, less an abatement where justified in respect of age and depreciation of the article at the time of loss (see *also* **5903.1d(2)**). If articles are not available for inspection, the assessment should be made on a reasonable arbitrary basis having regard to the age and normal life of the article and its replacement cost. Full replacement value at current issuing prices should, however, be awarded for items of optional kit. The different basis for assessing compulsory (as opposed to optional) kit items, is to take account of OUR/KUA, which is based on all compulsory kit items.

### **2. Guidance for Investigating Officers.**

- a. **Books and instruments.** The claim is to give the title of the book and the publisher's name or the replacement cost of the instrument and the maker's name.

b. **Tools.** If the lost tools are part of a Service tool kit held on individual loan (see BR 96, Materiel Accounting and Storekeeping Manual), they will be replaced in kind. Cash will not be paid in compensation for tools held on loan or for tools of a private nature held voluntarily.

c. **Watches (see 5902.1).** If a watch is lost or damaged during the course of duty, a grant may be authorized (subject to any restriction in force) towards the cost of replacement or repair. The claim should:

- (1) Describe the watch.
- (2) Give the original purchase price and current cost of replacement/repair.
- (3) Say when and where it was purchased.

d. **Spectacles and Dentures (see 5902.1).** Since these articles are available from service sources, compensation for loss or damage of privately obtained items is not normally payable.

e. If an individual has been, or is due to be, released from the Service and re-equipment is therefore unnecessary, a report of the circumstances should be forwarded to the appropriate Management area, who may at their discretion make some payment. Such an award will never exceed the depreciated value of the lost or damaged article. Reports should give details of any uniform unnecessarily purchased by the claimant before release.

f. If an individual dies before any award is authorized, no compensation is payable to the estate. The Ministry of Defence may, however, at their discretion authorize some payment to the legal representatives of the deceased for any expenditure incurred on re-equipment before the individual's death.

3. A claimant may be required to produce evidence of ownership and of the value of the article for which compensation is being claimed. Where the owner of lost articles has subsequently died the Ministry of Defence may require proof that replacement was made before death.

4. HM Treasury regularly produces guidelines on the maximum sum admissible for individual articles and how to calculate the related depreciation factor when assessing a claim. It is to be noted that the starting point for depreciation costings should be taken from the replacement value. If calculations indicate that the claimant will receive no payment due to the age of their personal items, the assessor can authorise a payment based on 10% of the replacement value. The purpose of the guidelines is to assist management authorities in ensuring that an equitable standard of assessing claims and awarding compensation is made throughout the Department. The guidelines are promulgated by Defence Instruction Notice.

## 5908. Submission and Approval of Claims

1. Claims are to be submitted on JPA F014 for service personnel and MOD Form 441, for civilian staff, together with all available detail and documentary evidence within one month of the incident giving rise to the loss or damage. A Commanding officer of the rank of Lieutenant Commander/Captain Royal Marines and above is authorised to approve individual claims which comply with these regulations. Common Law compensation claims, and those falling under the provisions of paras **5903** (e), (f) and (g) or **5904.3**, are to be forwarded through the Command Headquarters to DJEP CLCP. They are to bear the recommendation of the Commanding Officer and are to be accompanied by the Unit investigation report under para **5906**. In addition, multiple claims (i.e. claims from a number of individuals arising from the same incident, e.g. a fire) should be sent to DJEP CLCP for consideration if one or more of the claims is valued at more than £1000. This is to ensure uniformity and consistency of approach in dealing with all the individual claims.

2. The Commanding Officer or the administrative authority is to award only such compensation as they may consider equitable on the merits of the claim. In no case is a claim assessed below £20 to be paid (see **5905.1c**) nor is the limit set in HM Treasury guidelines for individual articles to be exceeded.

3. After approval of payment the original copy of the report together with supporting evidence, vouchers, receipts, etc., should be retained by the approving authority for one year.

4. Necessary articles of uniform and clothing may be replaced immediately after the loss and their value charged as a casual payment on the ledger against the individual to whom the issue is made, without waiting for approval to pay the claim. Abatement from pay may be deferred until the claim is paid and, if necessary, the casual payment may be carried forward as a temporary overpayment.

5. The Commanding Officer may, if necessary, authorize reasonable advances of cash to an individual to enable them to re-equip themselves. Such payments are to be reported to the administrative authority or to the Ministry of Defence DJEP CLCP as appropriate when forwarding the claim for approval.

6. Payment of regulational claims should be arranged locally and must be authorised by the Commanding Officer of the rank of Lieutenant Commander/Captain Royal Marines or equivalent. Funding for these claims was disaggregated to TLBs on 1 April 1997 and management authorities should note that payments are to be debited against **RAC NKA002**.

## 5909. Separation from Kit

1. The procedure to be followed in cases where individuals become separated from their kit owing to Service reasons is laid down in BR 96, *Materiel Accounting and Storekeeping Manual*, Part III Article **4078**.

## 5910–5920. Unallocated

## SECTION II - COMMON LAW/MARITIME CLAIMS

### J.5921. Introduction

1. This section deals with claims at common law made against the Ministry of Defence or its servants in respect of damage to or loss of property and for personal injury or death caused or alleged to be caused by the Ministry of Defence or its servants. It also deals with common law claims brought by the Ministry of Defence against other parties. It does not deal with claims arising from purchase or other contracts, claims for awards under Royal Warrant, Order in Council or Order of Her Majesty relating to disablement or death, or claims and recoveries allowable under Departmental Regulations. Nor does it deal with claims arising from Hirings and requisitions which are dealt with by DE&S.

2. (*Navy only.*) Attention is drawn to the instructions on compensation for damage to personal property belonging to civilian personnel and workpeople on duty in JSP 754 Tri-Service Regulations for Pay and Charges on damage to stores and barrack buildings and JSP 752 Tri-Service Regulations for Allowances. For indemnities, see Chapter 60.

### J.5922. Mutual Waiver of Claims

1. Claims for compensation in respect of loss or damage, if received from or proposed to be made against other Forces, other governments or other government departments, may be the subject of a special agreement or mutual waiver and should be referred to the Ministry of Defence DJEP CLCP with all supporting documents before any action is taken.

### J.5923. Division of Responsibility

1. Within the Ministry of Defence responsibility for handling all common law claims lies with DJEP CLCP and the appropriate Area Claims Officers overseas, except those types of claims handling which have been contracted out to commercial claims handlers. Responsibility for handling claims arising from training and manoeuvres (except low flying) within the United Kingdom, lies with the local Defence Infrastructure Organisation (DIO) Office under delegated authority from the Head of CLCP. Full details are given in Annex A to Chapter 59, J.

### J.5924. Method of Reporting

1. **Traffic Accidents.** Traffic accidents involving Ministry of Defence vehicles are to be reported in accordance with JSP 800, Vol 5. *Road Transport Policy*.

2. **Aircraft Accidents.** Aircraft accidents involving Ministry of Defence aircraft are to be reported in accordance with the following Service instructions:

Royal Navy and Army: JSP 550

3. **Maritime Accidents.** Maritime accidents involving MOD ships and marine craft accidents occurring on board such vessels whilst at sea or under way are to be reported in accordance with the following separate Service instructions:

RN	Article <b>5928</b> for ships operated by the RN, including Royal Fleet Auxiliaries and other ships or craft in the naval service.
Army	Army Maritime Instructions for marine craft.

4. **Hovercraft Accidents.** Accidents involving MOD hovercraft are to be reported to DJEP CLCP using special accident report forms (MOD Forms 95 and 95A).

If at any time a compensation claim for death or injury, sustained in any theatre and reported in accordance with the above procedures, is made or intimated by a MOD employee whether Service personnel or United Kingdom Based Civilians (UKBC) Non Industrial and Industrial Civil Servant, should be forwarded to, or the claimant be instructed to write, as follows:

Topmark Claims Management Ltd  
160 Bath Street  
Glasgow  
G2 4TB

5. **Accidents and Miscellaneous Occurrences.** Accidents and miscellaneous occurrences not falling under paragraph **J.5924. 1 to 4** are to be reported as follows:

a. As a minimum, in all circumstances where injury occurs, MOD Form 510 (or local equivalent accident report form) must be carefully completed together with details of witnesses, etc. Guidance about the completion and retention of accident report forms can be found in JSP 375, Vol 2, Leaflet 14.

b. Any other claims against the MOD arising from incidents occurring in the UK, resulting in death or personal injury to third parties or loss or damage to property where it is alleged that the MOD was negligent should be forwarded to:

Ministry of Defence  
DJEP CLCP  
Level 3, Spine I  
Main Building  
Whitehall  
London  
SW1A 2HB

c. General enquiries from Units and Establishments or individuals concerning MOD procedures relating to personal injury, clinical negligence, miscellaneous claims (employer's liability claims which do not involve personal injury, for example wrongful imprisonment or wrongful enlistment) should be directed to:

Ministry of Defence  
DJEP-CLCP  
MOD Main Building,  
Whitehall,  
London, SW1A 2HB

Tel: 020 7218 1842 (Mil: 9621 81842)  
E-mail: DJEP-ClaimsGeneral@mod.gov.uk

d. **Overseas Areas**

(1) When an incident occurs which results in injury or death of, or in loss of or damage to the property of, Ministry of Defence locally employed civilian personnel arising out of and in the course of their employment any claim should be submitted to the local civilian establishment branch or Claims Office in accordance with individual theatre regulations. Any claim made by a local employee or third party at common law should be sent to the appropriate Claims Office responsible for the country. (See Annex A to Chapter 59, Part 2).

(2) The appropriate Claims Office will handle claims resulting from injury to or death of persons or animals, or in loss of or damage to property, other than those covered in previous paragraphs. (*Navy only* - see also Section III).

e. **Training and Manoeuvre Damage**

(1) In the United Kingdom any claims for damage occasioned to private property, including livestock (but excluding damage occasioned by low flying military aircraft activity), during training and manoeuvres will be investigated and settled by the local Defence Infrastructure Organisation (DIO) Office in accordance with the delegated authority from the Head of CLCP.

(2) In overseas areas the local Area Claims Officer, where there is one, or DJEP CLCP manage training and manoeuvre claims.

**J.5925. Writs and Summons**

1. On receipt of a writ or summons naming a member of the Services as defendant in a common law claim by a third party, or if other urgent matters arise in respect of any common law claim made against the Ministry of Defence, it is to be reported immediately by telephone or other available means to the appropriate authority.



**J.5926. General**

1. Claims which fall within this section are to be settled only by the authorities mentioned, except where powers of settlement have been specifically delegated by the Head of CLCP. All personnel are forbidden to enter into correspondence or discussions with any person in connection with an incident likely to lead to a third party claim, or to do anything which might be interpreted as an admission of liability.

2. New Civil Procedure Rules were introduced on 26 April 1999. The Rules significantly change the way Common Law claims are handled, include pre-action protocols, and govern the conduct of litigation. Any letter of claim (which will contain a clear summary of the facts on which the claim is based, including allegations of negligence, and will include details of any injuries suffered or financial losses incurred) received from a claimant, insurance company, solicitor or other interested party is to be forwarded immediately to DJEP CLCP as the appropriate authority, and no reply or acknowledgement whatsoever is to be sent to the writer. Failure to meet the protocol requirements can lead to sanctions being imposed by the courts. It follows that only DJEP CLCP may interpret what constitutes a letter of claim and how an acknowledgement should be phrased.

3. Units, ships and establishments will be notified by a Claims Officer if any statement or supplementary statement from a witness, or the attendance of such a witness is required. Any request from a Claims Officer or insurer acting for the MOD to obtain such a statement will be taken as referring solely to a statement required for claims purposes and not to one for disciplinary purposes. The evidence of police and civilians required solely for disciplinary purposes may, however, be obtained direct by the quickest possible means.

4. Units, ships and establishments are reminded that any requests made by Claims Officers or the Department's commercial Claims Handlers for additional information, which may include Service Inquiry reports, Service Police reports and unit enquiries, are made both in the interests of the Ministry of Defence and of the Service, and is for the purpose of ensuring that a claim by or against the Ministry of Defence, or the initiation of a claim, is properly considered. All personnel should also be aware that legal proceedings are frequently served and Claims Officers are frequently called upon to prepare a case for Court Hearing. All Claims Officers are obliged to comply with the Rules of Disclosure and no information is disclosed without authority from the appropriate authorising branch. Units, ships and establishments are therefore to comply fully and promptly to such requests.

5. Personnel who receive claims for compensation addressed to them personally should forward them to the Ministry of Defence (DJEP CLCP) for handling and settlement. The Ministry of Defence is liable in law to pay compensation for negligent actions of its employees which they may have committed in the course of their official duties, and there is no requirement for personnel to purchase insurance cover against being sued whilst at work. If, however, personnel commit actions which are grossly outside the requirements of the service and which result in injury or damage to property, they may be held personally liable and may have to pay compensation themselves.

**J.5927. Off-Duty Claims**

1. In the United Kingdom the Ministry of Defence does not accept responsibility for claims against Service personnel arising from off-duty incidents and claimants are expected to seek redress against the individuals responsible for the injury or loss.

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2. Overseas there is provision in certain international agreements (e.g. NATO Status of Forces Agreement) for the Ministry of Defence to consider claims arising from off-duty incidents on an ex gratia basis and DJEP CLCP or the local Area Claims Officer as appropriate should be contacted when any such claim arises.

### **5928. (Navy only) Maritime Claims - General**

1. Articles **5928–5932** (which, as appropriate, should be read in conjunction with Annex 59B) outline the procedures to be followed in processing claims for loss or damage arising out of the navigation or operation of a vessel and other maritime incidents and include those involving:

- a. Collisions and other navigational incidents reported under **4507**.
- b. Oil spillage.
- c. Gunnery/missile firing incidents.
- d. Damage to naval static property by merchant vessels or other vessels or craft not owned by the Ministry of Defence.
- e. Damage to fishing gear.

2. **Authorities Responsible for Claims Action.** The authorities listed below are responsible for ensuring that the correct action is taken promptly after an incident in an area of their concern giving rise to a maritime claim by or against the naval and marine forces, or in respect of Royal Fleet Auxiliaries, Royal Maritime Auxiliary Service vessels or other ships and craft in MOD service, so that the interests of the Ministry of Defence in any subsequent claim or litigation proceedings are not jeopardized. Reports of incidents giving rise (or likely to give rise) to a claim by or against the Ministry of Defence, and any letter of claim received are to be forwarded to the appropriate authority of those listed below:

- a. Authorities.
  - (1) Flag Officer Scotland, Northern England and Northern Ireland.
  - (2) Queens Harbour Master Portsmouth.
  - (3) Flag Officer Sea Training.
  - (4) Commander British Forces Gibraltar.
  - (5) Commander British Naval Staff, Washington.
  - (6) Head of British Defence Liaison Staff, Canberra.
  - (7) Commodore Clyde.
  - (8) Commander British Forces South Atlantic Islands.

- (9) The local British Naval Attaché, British Embassy/High Commission; or if none of the above is appropriate:
- (10) DJEP CLCP.
- b. For incidents abroad involving a Royal Fleet Auxiliary vessel:
  - (1) RFA agent; or
  - (2) Commodore Royal Fleet Auxiliary.
- c. For incidents abroad involving a Royal Maritime Auxiliary Service vessel:
  - (1) RFA agent (who will act as RMAS agent); or
  - (2) General Manager RMAS.
- d. For incidents involving cadet forces:
  - (1) Chief of Naval Personnel & Training / Second Sea Lord
- e. For incidents involving Royal Marine craft:
  - (1) Commandant General Royal Marines who may exercise the authority delegated by **5929.4** and **5929.5**.

## **5929. Collisions and other Navigational Incidents - Claims**

1. This Article applies specifically to claims arising out of incidents reported under **4507** but provides guidance also for the processing of those referred to in **5930**, **5931** and, as appropriate, **5932**. It should be read in conjunction with Annex **59B**.

### **2. Responsibility for Claims Action.**

- a. The appropriate authority of those listed in **5928.2** should:
  - (1) Enter into preliminary negotiations with the other party.
  - (2) Ensure that the incident has been reported in accordance with **4504.1a** and **c** or **5931.3** and 6 and establish whether, in cases where fishermen allege damage to trawls etc. through the activities of HM ships or other vessels in the naval service, action has been taken as required by **4501.3**.
  - (3) Ensure that all matters which may affect liability have been or are being investigated and that any appropriate witnesses' statements have been obtained. Where liability in an incident reported under **4507.2c** depends on establishing the extent to which a naval vessel was at fault, however, the investigation will be carried out and the details forwarded to the authority dealing with the claim in accordance with paragraph 3 of Annex 59B.

(4) Ensure that any necessary joint survey has been or is being arranged and that any photographs or details of the damage have been passed to the surveyor representing the Ministry of Defence (see Annex 59B, paragraphs **14–22**).

(5) Ensure that the sum sought by a claimant in compensation for damage caused by a naval vessel does not exceed the limitation fund of the vessel (see Annex 59B, paragraph 13).

b. The authority concerned should either settle the claim in accordance with Clause 5 below or, if the claim cannot be dealt with locally, forward the details of the claim to DJEP CLCP in accordance with Clause 6.

**3. Serious or Difficult Cases.**

a. Guidance on the procedures to be followed is to be sought from DJEP CLCP.

b. In major cases where the preliminary negotiations with the other party are conducted by the Treasury Solicitor, the authority concerned will be informed that the action specified in Clause 2 will be co-ordinated by DJEP CLCP.

**4. Admission of Liability.** Only Flag Officers, Commanding Officers and DJEP CLCP may admit liability, repudiate claims or otherwise enter into negotiations over liability with other parties. Action by all other authorities is to be carried out *without prejudice*.

**5. Local Settlement.**

a. Flag Officers and Commanding Officers are authorised to settle on behalf of the Ministry of Defence claims for compensation arising from incidents reported under **4507.2c** where they are satisfied that the following conditions are fulfilled:

(1) The naval vessel is 100% liable for the incident.

(2) The claim is fair and reasonable.

(3) The claim does not include personal injury.

(4) The amount of settlement does not exceed the limitation fund of the naval vessel involved (see Annex 59B, paragraph **13**).

(5) The amount does not exceed the level of authority delegated by Hd of CLCP.

b. Payment is to be made only to the owner of the damaged property or to persons nominated by the owner to act on their behalf such as solicitors or an insurance company and the payable order annotated in full final settlement of the claim against the Ministry of Defence.

c. Payment should be charged to the Navy Maritime Compensation Vote sub-item which covers damage caused by HM ships and other vessels in the naval service.

d. A monthly report giving brief details of claims settled under **5929.5a** should be forwarded to DJEP CLCP.

e. There is no delegated authority for settlement of claims against other parties to be made locally.

6. **Forwarding Claims.** If a claim cannot be settled locally or if a claim is to be pursued against another party, the details of the claim are to be forwarded to DJEP CLCP Claims 2 in the following form:

- a. Report of incident.
- b. Witnesses' statements, or names and addresses of witnesses if appropriate.
- c. Previous correspondence with the other party.
- d. Joint survey report where appropriate.
- e. Covering comments.

### **5930. Oil Spillage and Gunnery or Missile Firing Incident - Claims**

1. **Oil Spillage.** Claims against the Ministry of Defence which arise out of damage caused by the spillage of oil into the sea or into harbour, port or inland waterway and which involve naval vessels, structures or establishments should be dealt with as appropriate under the procedures laid down in **5929** taking account of the following:

- a. Any claim settled locally is to be paid without admission to liability and in full and final settlement of the claim against the Ministry of Defence.
- b. Unless the claim arises from a collision incident, settlement should be made from the Navy Miscellaneous Maritime Compensation Resource Account Code.
- c. Brief details of any claim settled under delegated authority should be forwarded to DJEP CLCP.
- d. If a claim cannot be settled locally or if a claim is to be pursued against another party appropriate details, on the lines of those required by **5929.6**, are to be sent to DJEP CLCP.

There is no delegated authority for settlement of claims in respect of oil spillage outside home waters.

2. **Gunnery or Missile Firing Incidents.** Claims arising out of damage to property not owned by the Ministry of Defence by the firing of shells/missiles from one of HM ships should be dealt with the procedures laid down in **5929**. There is no delegated authority for such claims to be settled locally: relevant information as required, on the lines of by **5929.6**, should be forwarded to DJEP CLCP.

## 5931. Damage to Naval Static Property

1. **General** (see *also* guidance in **5929**). Authorities locally responsible for the administration of static property such as jetties, wharves, piers, docks, locks, basins, buoys, pontoons, dolphins, underwater cables, oil fuel lines or other structures owned or occupied by the Ministry of Defence (Navy) damaged by a vessel not owned by the Ministry of Defence, should take certain measures immediately after the incident to ensure that any claims procedures against the offending vessel will not be jeopardized.

### 2. Immediate Action.

a. The authority locally responsible for the damaged structure should show the Master of the vessel the extent of the damage and obtain full details of the vessel (see Clause 3 below).

b. The Ministry of Defence Police, the Queen's Harbour Master (if the incident occurred in a dockyard port) and the Area Flag Officer are to be informed immediately by telephone if:

- (1) The vessel is unidentified; or
- (2) The incident may have been an offence under local by-laws or Port orders; or
- (3) The vessel is foreign and may be attempting to sail out of United Kingdom territorial waters in order to avoid British jurisdiction.

3. **Signalled Report.** An initial report is to be made as soon as possible after the incident by signal (SIC Z4E) to the appropriate authority of those listed in **5928.2** and to the Ministry of Defence (Navy). (If the authority locally responsible for the property is one of those listed in **5928.2** the signal to the Ministry of Defence (Navy) is still required.) The signalled report is to be made in the following form:

- a. Name of vessel.
- b. Home port.
- c. Name of port from which the vessel has come.
- d. Name of port to which the vessel is going.
- e. Flag state.
- f. Tonnage (approximate).
- g. Name, address, telephone number and e-mail address of person who should be contacted about any possible claim.
- h. Property which vessel has damaged.
- i. Date and time of incident.

- j. Extent of damage to naval property (e.g. serious, minor, etc.).
  - k. Any other relevant information.
  - l. Confirmation that a written report will be forwarded.
4. **Joint Survey.** The appropriate authority of those listed in **5928.2** should ensure that prompt action is taken, if appropriate, to arrange a joint survey of the damage caused (see **5929.2a(4)** and Annex 59B, paragraphs **14–22**).
5. **Minimizing losses.** See Annex 59B, paragraph **23b**.
6. **Written report.** The signalled report is to be followed without delay by a written report to the appropriate authority of those listed in **5928.2**. If the authority locally responsible for the property is one of those listed in **5928.2**, the report by this authority should be forwarded as soon as practicable with other appropriate information, to DJEP CLCP (see **5929.6**). The report is to include the following information:
- a. A description of the incident, stating how the vessel appeared to be at fault, providing a diagram and photographs if necessary;
  - b. Whether a pilot was on board or tugs were being used at the time of the incident;
  - c. If the pilot is employed by, or the tug is owned by the Ministry of Defence, did the vessel sign a Form D.461 or D.462? (In such cases separate reports from the pilot and the Master of the tug are to be forwarded through Marine Service channels in accordance with BR 8514, Chapter 7.)
7. **Naval Property Abroad.** When merchant or private vessels cause damage to static property owned or occupied by the Ministry of Defence (Navy) abroad, the authority locally responsible for the property should take action in accordance with this Article and, as appropriate, with **5929**.

## **5932. Damage to Fishing Gear**

1. Damage/loss may be caused through:
- a. The activities of HM ships or other vessels in the naval service including naval hovercraft.
  - b. The activities of foreign naval vessels.
  - c. The trawling of items of practice ordnance and associated armament stores/equipment.
  - d. The trawling of items of ordnance of wartime origin.
  - e. The trawling of items of equipment/stores (other than those at c and d above).
  - f. The trawling of aircraft wreckage.



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### 2. **Damage/loss Caused by HM Ships or other Vessels in the Naval Service.**

Regard should be paid to the instructions in **4501.3** and, as appropriate, to those in **5929**:

- a. Claims for compensation submitted by fishermen on Form S.1301 in respect of loss of or damage to nets, trawls or other fishing gear in home waters and for consequent loss of fishing time may be settled locally on the authority of the local Flag Officer up to a limit of £8000 for any one claim provided that, after investigation by the naval authority and independent assessment of the amount claimed (normally in the UK by the local Sea Fisheries Inspectorate through whom the fishermen submit their claims), naval liability is established.
- b. Payments made locally should be accompanied by a statement that they are without prejudice to liability and in full and final settlement of the claim against the Ministry of Defence and charged to the Navy Miscellaneous Maritime Compensation Vote sub-item.
- c. Claims exceeding the £8000 limit and any cases of doubt (e.g. if prior warnings or Notices to Fishermen etc. were not observed) should be forwarded with appropriate supporting documents and covering comments by the Flag Officer to DJEP CLCP.
- d. Claims arising from incidents occurring abroad should be forwarded by the local naval authority, with supporting documents and comments, to DJEP CLCP or the appropriate Area Claims Officer.

3. **Damage/loss caused by Foreign Naval Vessels to Fishing Gear Owned by United Kingdom Fishermen.** (See also Annex 59B, paragraphs 8b and 8c.) Normally the Ministry of Defence has no liability to handle compensation claims for alleged damage or loss in these circumstances. When a claim cannot be settled amicably between the claimant and the foreign naval authority concerned, or where there is doubt about the foreign vessel's responsibility or other complicating factors, details of the claim on Form **S.1301**, certified by the local Sea Fisheries Inspectorate and with any comments by the Flag Officer, should be forwarded without delay to DJEP CLCP for action.

4. **Damage/loss caused through Trawling of Items of Royal Navy, Army or Royal Air Force Practice Ordnance and Associated Armament Stores/Equipment.** (See also Clauses 5b and 5c.) In cases where fishermen have sustained damage or loss through the trawling practice bombs, torpedoes, bombs, shells, etc. and associated armament stores/equipment (e.g. mine carriages, multiplanes, floats, etc.) the following procedures apply:

- a. Claims from fishermen on Form **S.1301** in respect of loss or damage to nets or other fishing gear and any consequent loss of fishing time through trawling such items should be dealt with by the local Flag Officer as in Clauses 2a and 2b above, consulting Army or Royal Air Force authority as to the identity, age, etc. of an object as appropriate (and in the case of a torpedo, whether it is serviceable or unserviceable).
- b. Compensation claims exceeding £8000, or in any cases of doubt or claims for damage to fishing vessels alleged to have been caused by practice ordnance etc. should be forwarded with supporting documentation and comments to DJEP CLCP.



c. Local payment of a reward for recovery (or leading to recovery) of a practice torpedo or mine, to which a claimant may be entitled in addition to compensation for damage and loss, may be made in accordance with the provisions of **4674** and **4676** as a charge to the Navy Maritime Compensation Vote sub-item. When a claim for damages is forwarded for consideration to DJEP CLCP in accordance with instructions in Clause 4b it should be confirmed whether or not local payment of an appropriate reward has been made to the claimant.

d. Claims arising from incidents occurring abroad should be dealt with as in Clause 2d.

**5. Damage/Loss caused by Trawling of Items of Ordnance of Wartime Origin.**

Ministry of Defence accepts no *liability in law* for damage or loss caused by items of wartime explosive ordnance, but the following compensation arrangements apply:

a. Claims for damage to fishing gear and loss of fishing time arising from the trawling of such ordnance whether of British or foreign (invariably German) origin (which may include torpedoes, bombs, mines, shells or other explosive ordnance originating from ships or aircraft) encountered within 12 miles of the United Kingdom's shores may be settled by the Flag Officer on an ex gratia basis up to a limit of £8000 (as a charge to the Navy Miscellaneous Maritime Compensation Vote sub-item) subject to:

(1) Confirmation by the Officer-in-Charge of the Explosive Ordnance Disposal Unit that the object has been located and rendered harmless (but see also Clause 5b below).

(2) An acceptable independent assessment of the fishermen's claim on Form S.1301, by the Sea Fisheries Inspectorate.

(3) The signing of a form of discharge by the claimant in the following terms before payment is made:

'I, the undersigned, do hereby testify to my understanding that the payment listed hereunder is made to me ex gratia and that I have no claim in law against the Ministry of Defence or any other emanation of the Crown.'

b. Compensation for loss of fishing time is payable for any period in which the Explosive Ordnance Disposal Unit is called out and uses a fishing vessel and/or the services of the skipper and crew to assist in locating a suspected explosive object even if:

(1) The object is not located; or

(2) It is found to be something other than an item for which compensation for loss of fishing time is payable under the rules in this clause and in Clause 4, provided the Flag Officer is satisfied that the fisherman has acted in good faith.

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c. If an item identified under sub-paragraph 5b(2) is not of Service origin a claim for damage to fishing gear arising from contact with the object should not be met. If the item is found to be one of those covered by Clauses 7 and 8 below the total claim should be forwarded with supporting documents and comments by the Flag Officer to DJEP CLCP.

6. **Rules to be observed by Fishermen when they Trawl Explosive Ordnance.** In their own interest, opportunity should be taken to draw the attention of fishermen, when appropriate, either through the Fisheries Inspectorate or directly, as the occasion arises, to the general guidance in *Admiralty Notices to Mariners*, No. 6 about the action to be taken when a suspected explosive item is encountered.

7. **Damage caused by Trawling of Items of Equipment/Stores (Other than those Items Covered by Clauses 4 and 5).**

a. Area Flag Officers do not have delegated authority for settling claims for damage to fishing gear and loss of fishing time arising from the trawling of items which may include buoys (sonar, mooring or marker buoys etc.) or other miscellaneous items of naval origin. Any claim submitted (on Form S.1301) by a fisherman (who may also be entitled to a reward in respect of the recovery of an item of value to the Ministry of Defence) should be forwarded with supporting documents and comments by the Flag Officer (to include information about the value of the item if known) to the DJEP CLCP.

b. Claims arising from incidents occurring abroad should be dealt with as in Clause 2d.

8. **Damage caused by Trawling Parts of or Equipment from Crashed MOD Aircraft.**

There is delegated authority for settlement of claims arising from trawling these items, and such claims should be dealt with as in Clause 4 above.

**5933–5940. Unallocated**

## SECTION III - SPECIAL PROCEDURES FOR CLAIMS ARISING IN FOREIGN COUNTRIES

### 5941. Claims Against Naval and Marine Personnel in Foreign Countries

1. The action required of Commanding Officers in regard to claims against naval or marine personnel arising from incidents in foreign countries is governed, in NATO countries, by the provisions of the NATO Status of Forces Agreement which covers tort claims incurred both while on duty and off duty. ('Torts' are wrongful, injurious or negligent acts.) Claims arising in non-NATO countries (which may be subject to a MOU or other agreement) from torts done in the course of official duty are dealt with as claims against the Ministry of Defence; the handling of claims arising in such countries from off duty torts, e.g., while on shore leave, is described in subsequent articles.

### 5942. NATO Countries - On-Duty and Off-Duty Tort Claims

1. The claims procedure in Article VIII of the Agreement regarding the Status of Parties to the North Atlantic Treaty signed at London on 19th June, 1951 (Cmd 9363) applies in Albania, Belgium, Bulgaria, Canada, Croatia, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Norway, Poland, Portugal, Romania, the Slovakia, Slovenia, Spain, Turkey, the United Kingdom, and the United States of America.

a. The following countries are members of Partnership For Peace who may be party to the above claims procedures;

Austria, Azerbaijan, Georgia, Kazakhstan, Macedonia (the former Yugoslav Republic of), Moldova, Sweden, Ukraine and Uzbekistan.

2. Article VIII of the Agreement contains provisions for dealing with and settling certain categories of claims including:

a. Claims for damage to property of governments of the contracting States arising in connection with the operation of the North Atlantic Treaty.

b. Claims from third parties in respect of acts or omissions (negligence) of members of a visiting force or its civilian component occurring in the territory of a receiving State (i.e., the State to which the visit is paid) and done in the performance of official duty.

c. Claims from third parties for death or personal injury arising out of the navigation or operation of a ship used by the forces or the loading, carriage or discharge of cargo from it, and occurring in the receiving State or its territorial waters.

d. Claims from third parties against members of a visiting force or civilian component arising out of their tortious acts or omissions (negligence) occurring in a receiving State but not done in the performance of official duty.

3. The Agreement does not cover contractual claims or:

a. Third-party maritime claims for material damage occurring in the ports or territorial waters of a receiving State; or

- b. Third-party maritime claims occurring outside territorial waters.

Claims within categories 3a and b are to be reported to DJEP CLCP in the normal way (copy to the Naval Attaché concerned).

4. The Service or civilian personnel covered by the NATO claims procedure must have come to the country concerned (the receiving State) on official duty, i.e., not privately on leave. Personnel of any of HM ships which are visiting the port of a NATO country are covered, as well as personnel stationed in the receiving State or landed for exercises or training. Members of the Armed Forces of the United Kingdom include, for this purpose, members of the Reserves under training; the 'civilian component' includes members of the sponsored organisations and Ministry of Defence United Kingdom based civilian staff. The staff of Naval Attaches are not included.

5. Members of the forces of Commonwealth countries (other than Canada) and of non-NATO countries, who may be borne in HM ships, are not covered by the Agreement; nor are persons who are not in the employ of the Ministry of Defence (e.g., servants, laundrymen, or civilian passengers).

#### **5943. NATO Claims Arrangements**

1. Third-party claims arising from accidents caused when personnel are on duty are, under the NATO claims arrangements, investigated, assessed and paid by the authorities of the receiving State in the same way as local claims arising from the activities of its own forces; and accounts are subsequently rendered to the sending State. Third party claims arising from acts done by off duty personnel, including claims resulting from the unauthorised use of Service vehicles, are considered and assessed (but not paid) by the receiving State and a report is submitted to the sending State who decide whether to offer an *ex gratia* payment and in what amount.

2. Both on duty and off duty claims are handled, as between the NATO governments by designated Claims offices. DJEP CLCP handles all such claims involving United Kingdom armed forces, except where there is an Area Claims Officer or deployed Claims Officer, through Service attaches. Addresses are shown at Annex A to Chapter 59, Part 3. Commanding Officers are therefore to address reports on incidents giving rise to claims to the appropriate office.

3. Copies of reports under Clause 2 are to be sent at the same time to

- a. The ship's administrative authority.

4. These reports should state:

- a. Date of incident, ship involved, particulars of the personnel involved, full details of the circumstances and of the damage claimed, and the names and addresses of claimants and witnesses. Service and civilian police reports, if compiled, should also be forwarded. If, for any reason, the naval personnel alleged to be responsible cannot be identified the circumstances should be stated.

- b. Whether or not the act or omission giving rise to the claim was done in the performance of official duty.

c. Whether naval disciplinary action or local police action has been or is to be taken.

d. Whether proceedings by the claimant in a local court are likely and whether the officer or rating concerned has admitted responsibility for the damage and has expressed their willingness in writing to pay compensation.

5. Persons making claims should be told to send their claims to the responsible office of the Receiving State and not to any British Consul or other authority.

#### **5944. Off-Duty Claims in Foreign Countries**

1. The Ministry of Defence accepts no liability for the acts of naval personnel while off duty. No payment or promise of payment from naval funds is to be made (either direct or through the Consul) unless the individual concerned has undertaken to reimburse the Crown, or express DJEP CLCP approval is obtained.

2. When an incident ashore in a foreign (NATO or non-NATO) country leads to a claim for damages or injury against an individual who was not on duty at the time, and their responsibility is proved or is admitted by them, they should be encouraged to settle the claim promptly and privately, direct with the claimant. The help of the British Consul or Naval Attaché may be sought. The moral and legal obligation to pay should be impressed on the individual. An advance of pay may be made to help them meet the claim, provided that the amount so advanced does not normally exceed a sum reasonably recoverable from them within a maximum of six months or before the termination of their service, if earlier.

3. If it is not possible to reach a quick and amicable settlement with the claimant, the individual responsible should be asked whether, if a settlement is negotiated officially, they are willing to reimburse the Ministry of Defence for any sum paid and up to what maximum. If any advance of pay would be necessary, the maximum should be as in Clause 2. Any undertaking to this effect must be made voluntarily and should be in writing. There is no power to impose monetary charges in such cases; naval disciplinary action in respect of any offence from which the claim arises is to be taken first and the matter of payment should be raised independently afterwards.

4. If the amount of the claim is likely to exceed the individual's resources or if they are unwilling to pay, the circumstances should be reported to the administrative authority (copy to DJEP CLCP) for directions.

#### **5945. Unsettled Off-Duty Claims**

1. In a NATO country, any off-duty claim that cannot be settled on the spot by private arrangement, e.g., while the ship is in port, should be reported without delay to the appropriate United Kingdom Claims Office, with the details required by **5943.4**. The Consul, if involved, should be asked to take no action but pass any correspondence to the Claims Office. The claimant is at the same time to be informed that the matter is to be dealt with under the NATO SOFA procedure and that they must pursue the matter with the responsible office of the receiving State. If the individual responsible has given a written undertaking to pay, the original should be sent to the sending State Claims office and a copy to the Ministry of Defence. The sending State Claims office will, if appropriate, make proposals to the Commanding Officer about payment by the individual.

## **BRd 2**

2. In a non-NATO country, an off-duty claim that cannot be settled on the spot is to be referred to, or left in the hands of, the British Consul or Naval Attaché with a report on the circumstances and the action so far taken, including disciplinary action. The report should, if necessary, ask for a recommendation as to a fair settlement and should make clear whether any further authority is required before payment. If, on the merits of the claim, it is recommended by the Consul or Naval Attaché that an *ex gratia* payment from public funds should be made for the whole or part of the claim, the recommended settlement should be reported urgently to DJEP CLCP or appropriate Area Claims Officer (copy to administrative authority) for approval before payment.

3. If, in any non-NATO foreign country, the Commanding Officer cannot discover the identity of an individual responsible for an off-duty tort giving rise during the ship's visit to a claim, but is reasonably satisfied that a member of the ship's company was responsible, an *ex gratia* payment may be made up to a maximum of £100 provided that it is authorized by the Senior Naval Officer present, or by the Naval Attaché. The Commanding Officer should investigate the claim in consultation with the British Consul or Naval Attaché, if present. Receipts obtained for such payments are to state that the payment is accepted in full and final settlement of any claim against the Ministry of Defence and its servants and implies no acceptance of legal liability. Claims which cannot be met within the £100 limit are to be dealt with as in Clause 2.

### **5946. Verification of Claims**

1. When Commanding Officers are required to investigate claims, they should require a claimant to itemize and substantiate the elements in their claim, e.g., cost of replacements, out-of-pocket expenses, medical expenses, fares, etc., and to produce estimates of repair costs from reputable repairers. The Consulate should be asked for advice as necessary, e.g., as to local prices, and to check the items. Inquiries should be made of the claimant as to any insurance taken out. An attempt should be made to assess and negotiate a fair figure before reporting an unsettled claim to DJEP CLCP.

### **5947–5960. Unallocated**

## SECTION IV - MATTERS INCIDENTAL TO CLAIMS AND OFFENCES ABROAD

### 5961. Other Matters Arising from Incidents Ashore in Foreign Countries

1. Incidents of major consequence involving liberymen ashore (e.g., serious assault) are to be reported to the Commander Officer concerned (copy to DJEP CLCP).
2. If an officer or rating is detained by the civil authorities, representations for release should be made with the British Consul, and, if appropriate, an undertaking may be given that any misbehaviour will be dealt with as a matter of naval discipline, or that any compensation claimed will be considered by the proper authorities. In NATO countries release can normally be claimed as in JSP 830, *Manual of Service Law* Chapter 1 and on the grounds that compensation is provided for under Article VIII of the NATO Status Agreement.
3. In foreign ports where the local civil authorities demand, in return for handing over the individual, a guarantee covering the payment of such costs, fines and damages as may be awarded subsequently by a local court, no such guarantee is to be given except on instructions from the Commander. The Naval Attaché or Consul should be asked to obtain local legal advice before a decision is made. See **J.5812** for bail abroad.

### 5962. Fines and Court Costs

1. An advance of pay for meeting a fine or court costs may be authorised under the conditions set out in JSP 754 Tri-Service Regulations for Pay and Charges. Fines and court costs are the liability of the individual concerned.
2. In some cases an individual may be released to his ship and the hearing of the case by the local court may be then taken later *in absentia*. If fines or costs are then inflicted, the individual concerned has a personal obligation to pay them and neither the ship nor the Consul should make payment except with his agreement. Cases of difficulty are to be reported to the Commander Officer and DJEP CLCP.

### 5963. Recovery of Payments

1. When in any case the Consul has been instructed to pay on behalf of an individual, the amount should be debited against the individuals naval pay account. The letter to the Consul should quote the number of the account and the ledger period in which it occurs. One copy of this letter should be sent to the CE, Non-Public Property Accounts and a further copy kept as a ledger enclosure.



**ANNEX 59A**(See **5923**)**HEAD OF COMMON LAW CLAIMS AND POLICY*****Directorate of Judicial Engagement Policy*****J. Part 1 Constitution and Duties****J. Part 2 Claims Offices addresses****J. Part 3 Offices of the Sending State – NATO****Constitution**

**1.** The Head of Directorate of Judicial Engagement Policy - Common Law Claims and Policy (Hd of DJEP-CLCP) and staff act on behalf of the Secretary of State Defence and are the sole authority responsible for the investigation, negotiation and settlement of claims for compensation on a legal liability basis and in line with common law principles by and against the Ministry of Defence. Claims Managers have delegated financial authority to pay compensation which may only be delegated to others with the agreement of Hd of DJEP-CLCP.

**Duties**

**2.** DJEP-CLCP deals with claims at common law made by or against the Ministry of Defence arising out of:

- a. Road traffic collisions involving MOD owned and leased vehicles, excluding those occurring in the United Kingdom which are dealt with by a commercial claims handling organisation.
- b. Death of, illness or personal injury to Service personnel, dependants and other entitled patients as a result of medical negligence.
- c. Incidents involving death or personal injury to on duty Service personnel prior to 1 July 1996.
- d. MOD aircraft activity, including crashes, but excluding claims arising out of the participation of Service aircraft in air displays, tattoos, etc., which are covered by the MOD's non core third party aviation liability insurance.
- e. Maritime accidents including salvage, collisions, damage to fishing gear, etc.
- f. Accidents involving death or personal injury to civilian employees of the Ministry of Defence, except for those in the United Kingdom and those involving UKBC overseas (but not LEC) which occurred after 1 March 1982, as these are dealt with under the MOD's Employers Liability claims handling arrangements with commercial claims handlers.
- g. Common law claims by and against the Visiting Forces based in the United Kingdom which are dealt with under Section 9 of the Visiting Forces Act and Article VIII paragraph 5 of the NATO Status of Forces Agreement.



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Overseas, Area Claims Officers deal with claims covered in international agreements governing the status of United Kingdom Forces and the civilian component and advises on claims matters in connection therewith.

h. Occurrences involving the death or injury or loss or damage of the property of other third parties.

i. **Overseas only:**

(1) Damage to lands, buildings, crops, private roads not leased or under contract and public roads during training and manoeuvres or at other times,

(2) Off duty incidents in which Service personnel, members of the civilian component and staff of sponsored organisations are involved and the claims are of a tortious nature.

### **3. Other Duties of the Hd of CLCP and Staff include:**

a. Preparing financial estimates, Short Term Financial Plans, Management Plans, Claims Annual Report, etc.

b. Giving advice to, and on behalf of, the Ministry of Defence on matters relating to insurance and indemnities, except on contractual or lands matters.

c. Advising on policy relating to ex gratia. claims for compensation from Ministry of Defence and service personnel from loss of or damage to personal property.

d. Managing the Ministry of Defence's commercial claims handling arrangements in the United Kingdom in respect of motor and employers' liability risks.

e. Managing the Ministry of Defence's commercial aviation insurance arrangements in respect of third party risks in the field of:

(1) Civilian use of Ministry of Defence aerodromes.

(2) Fare paying passengers.

(3) Participation of MOD aircraft in air displays, tattoos, etc, world-wide.

(4) Income Generation activities.

### **4. CLCP does not Deal with Claims Made by or Against the Ministry of Defence Arising Out Of:**

a. Damage to land, crops, buildings and roads caused during training and manoeuvres on land in the United Kingdom. These are managed under a financial delegation from Hd of DJEP-CLCP to Defence Infrastructure Organisation (DIO).

b. Requisitions, hirings, purchases or other contracts. These are dealt with by the relevant Contracting Authority.

c. Royal Warrants or certain other departmental regulations.

**5.** Financial powers necessary for settling claims which fall within DJEP CLCP' jurisdiction have been delegated to the Hd of DJEP-CLCP and staff. None of the claims described in paragraph 2 may be settled by any other person or body.

**6.** The address for DJEP-CLCP is:

Ministry of Defence  
DJEP-CLCP  
Level 3, Spine 3, Zone 1  
Main Building  
Whitehall  
London  
SW1A 2HB  
Tel: Military – 9621 86388, 81842 (0207 218 6388, 1842

E-Mail: [DJEP-ClaimsGeneral@mod.gov.uk](mailto:DJEP-ClaimsGeneral@mod.gov.uk)

**7.** DJEP-CLCP staff deploy, as required, with operational civil secretariats and on major overseas exercises. The addresses of permanent Claims representatives are shown in Appendix 1 to this Annex.

## J. Part 2. Claims Offices Addresses

## Geographical Responsibilities and Addresses of Claim Offices

Area Office	Address	Telephone Number/E-Mail
North West Europe (NWE) including: Austria Belgium Czech Republic France Germany Hungary Luxembourg Netherlands Norway Poland  <b>(White Card required)</b>	<b>Military Address:</b> Area Claims Office (North West Europe) Germany Enabling Office Building 213 Antwerp Barracks BFPO 16  <b>Civilian Address:</b> Area Claims Office (North West Europe) Germany Enabling Office Building 213 Antwerp Barracks Bielefelder Str. 54 33104 Paderborn	Tel Mil : Sennelager (94879) 2033 Mil Fax : Sennelager (94879) 4939  Civil : 0049 (0)5254 – 982-20 33 Civil Fax: 0049 (0)5254 -982-49 39 E-mail: <a href="mailto:Dieter.Oqueka969@mod.gov.uk">Dieter.Oqueka969@mod.gov.uk</a>
Cyprus	Area Claims Officer Cyprus  HQ BFC J8 Finance Room 128b Block C BFPO 53	Episkopi Mil: 94120 3406/3573 Civil: 00357 2596 3406/3573 Fax Ext 94120 2427 E-mail: <a href="mailto:Socrates.Socratous100@mod.gov.uk">Socrates.Socratous100@mod.gov.uk</a> <a href="#">BFC-HQ-CmdSec-FinClaimOffc 02</a>
Falkland Islands & Ascension Islands	Command Secretary HQ British Forces South Atlantic Islands BFPO 655	Mil : 94130 4467 Civ: 00 500 74467  Fax: 94130 6415 Civ Fax: 00 500 76415 BFSAI-FLK-HQ-CmdSec@mod.uk
Afghanistan	COMBRITFOR CIV SEC OP TORAL Camp HKIA BFPO 798	TBC

Area Office	Address	Telephone Number/E-Mail
USA	Services Manager Business Services BDS US British Embassy Washington DC 20008 BFPO 2	Civ: 001 202 588 6848  Fax: 001 202 588 7891  E-mail : BDSUS-DeputyCivSec <a href="mailto:sally.alstead100@mod.gov.uk">sally.alstead100@mod.gov.uk</a>
Canada	Claims & Civil Litigation Office of the DND/CF Legal Adviser MGen George R Pearkes Bldg 101 Colonel NBy Drive 7 <sup>th</sup> Floor Ottawa KIA 0K2	Tel: +1 613 992 8503 Fax: +1 613 995 2242  E-mail: DND/CF Legal Advisor <a href="mailto:William.hall@forces.gc.ca">William.hall@forces.gc.ca</a>
Gibraltar	MT Policy & Admin Central Office Block HMNB BFPO 52	Tel: +350 2005 5313 Mil: 94110 5313  E-mail: GIB-MT OAO <a href="mailto:Karina.Capps730@mod.gov.uk">Karina.Capps730@mod.gov.uk</a>
Baggage Lost or Damaged in Transit on RAF Flights	Business and Finance Unit RAF Brize Norton CARTERTON Oxon OX18 3LX	Mil: 95461 7609/6163  E-mail: <a href="#">BZN-BRM-Wg Dep BusResMgr</a>
All Countries not listed above	Directorate of Judicial Engagement Policy, Common Law Claims and Policy Public Liability Team (PLT) MOD, Level 3, Zone I Main Building, Whitehall London SW1A 2HB	0207 218 0380 Mil: 9621 80380  Fax: 0207 218 4566 Mil: 9621 84566  E-mail: SPO DJEP- ClaimsGeneral(MULTIUSER) <a href="#">SPODJEP- ClaimsGeneral@mod.gov.uk</a>

**J. Part 3. Offices of the Sending State (NATO)**

Where the United Kingdom is the “Sending State” in the context of Article VIII of the NATO Status of Forces Agreement, claims by and against the Ministry of Defence will in the first instance be investigated by the “Host Nation” and then forwarded to the following:

Albania	British Embassy, Tirana
Belgium	British Embassy, Brussels
Bulgaria	British Embassy, Sofia
Canada	British Defence Liaison Staff (Army), British High Commission, Ottawa
Croatia	British Embassy, Zagreb
Czech Rep	British Embassy, Prague
Denmark	Office of the Defence Naval, Military and Air Attache, British Embassy, Copenhagen
Estonia	British Embassy, Tallinn
France	British Embassy, Paris
Germany	British Embassy, Berlin
Greece	Military Attaché, British Embassy, Athens
Hungary	British Embassy, Budapest
Iceland	British Embassy, Reykjavik
Italy	Naval Attaché, British Embassy, Rome
Latvia	British Embassy, Riga
Lithuania	British Embassy, Vilnius
Luxembourg	British Embassy, 5 Boulevard Joseph 11, L-1840 Luxembourg
Netherlands	British Embassy, The Hague
Norway	British Embassy, Oslo
Poland	British Embassy, Warsaw
Portugal	Naval Attaché British Embassy, Lisbon
Romania	British Embassy, Bucharest
Slovakia	British Embassy, Bratislava
Slovenia	British Embassy, Ljubljana
Spain	British Embassy, Madrid
Turkey	Air Attaché British Embassy, Ankara
UK	British Embassy, London
USA	British Defence Liaison Staff, British Embassy, Washington DC

## ANNEX 59B

### COLLISIONS AND OTHER NAVIGATIONAL INCIDENTS AND MARITIME CLAIMS

(To be read in conjunction with Chapter 45, Articles **5928–5932** and BRD 9147, Vol 1. See also 2015DIN06-005 – Navy Lessons and Incident Management System (NLIMS))

1. This Annex relates to the administrative action to be taken after a collision or other navigational incident, to the procedures for arranging and carrying out joint surveys of damage and gives general information on various points of law applying to collisions etc.

2. **Reporting Authorities for Administrative Action** (see **4507.2b**). The authorities through whom reports of all navigational incidents are to be forwarded to the Ministry of Defence (MOD) Directorate of Judicial Engagement and Policy, Common Law Claims & Policy (DJEP CLCP), are as follows:

a. **HM ships and Submarines** (see Chapter 34, Section VI). On receipt of the initial report (see **4505**) Chief of Naval Staff/First Sea Lord will nominate, by signal addressed to all interested authorities, the administrative channel through which Form S.232 and the explanatory letter etc., are to be submitted. Other appropriate authorities will be informed of the outcome subsequently by Chief of Naval Staff/First Sea Lord.

b. **Royal Marine Craft** (see Chapter 45):

(1) Chief of Naval Staff/First Sea Lord

c. **Royal Fleet Auxiliaries** (see BR 875, Regulations for Royal Fleet Auxiliaries):

(1) Chief of Naval Staff/First Sea Lord

d. **Royal Maritime Auxiliary Service Vessels** (see BR 8514, Maritime Services Manual, Chapter 7):

(1) General Manager RMAS.

(2) Directorate of Naval Bases and Supply Agency (Operations).

e. **HM Sail Training Yachts:**

(1) Officer-in-Charge, Joint Services Adventurous Sail Training Centre.

(2) Fleet Commander

(3) Chief of Naval Staff/First Sea Lord and Second Sea Lord.

f. **Sail Training Craft** (see local standing orders):

(1) Commodore Britannia Royal Naval College.

(2) Fleet Commander.

(3) Chief of Naval Staff/First Sea Lord and Second Sea Lord.

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g. **Sea Cadet Force Boats and Craft** (see Sea Cadet Corps Regulations; Safety Afloat Code of Practice 86):

(1) Chief of Naval Staff/First Sea Lord who may use discretion in forwarding reports to DJEP CLC&P, but reports are to be forwarded when the incident is serious or when another party is involved. Incidents should be reported on Form SCC 50.

h. **Combined Cadet Force Boats and Craft** (see Combined Cadet Force Instructions (Naval), Combined Cadet Force Regulations (ASP 313), Safety Afloat Code of Practice 86):

(1) Naval Member, Joint Cadet Executive.

(2) Chief of Naval Staff/First Sea Lord and Second Sea Lord who may use discretion in forwarding reports to DJEP-CLCP, but reports are to be forwarded when the incident is serious or when another party is involved. Incidents should be reported on Form CCF(N)36.



**Note.** The copy of Form S.232 etc. forwarded through/to the above authorities in accordance with **4507.2b** is intended for consideration of administrative action. It should be channelled through the appropriate authorities as speedily as possible and when one of the authorities is also one of those listed in **5928.2** (and the recipient of Form S.232 etc., forwarded under **4507.1c** for claims action) care should be taken to see that the respective matters are dealt with separately, consideration/action on one aspect not causing delay on the other.

3. **Forwarding of Reports.** When forwarding reports the authorities specified in paragraph 2 above should make appropriate comments and recommendations and should state, in particular:

- a. Whether a board of inquiry is proposed or has been held.
- b. To whom blame is considered attributable.
- c. The extent to which any other vessel, berthing party or other persons involved could be at fault.
- d. Any disciplinary action which has been taken or is proposed.
- e. Any precautions which have been or are being taken against a recurrence.

A copy of the covering letter should be forwarded to the appropriate authority listed in **5928.2** in cases where a claim is involved.

4. The reports should be forwarded with the following documents:

- a. Copies of Form S.232 and explanatory letter and enclosures thereto.
- b. Copies of comments from preceding authorities.

c. Report and minutes of the board of inquiry (if appropriate).

5. **Civil Liability.** The following guidelines can generally be used to establish who is liable in civil law for a collision:

a. If a vessel underway collides with a vessel anchored, berthed or aground or with a static structure, the vessel underway will usually be totally liable for the incident. A joint survey of the damage to the anchored etc. vessel or the structure only will be required: it is not necessary for the damage to the vessel which was underway to be jointly surveyed.

b. If two vessels collide when underway both vessels will usually be to some extent liable. A joint survey of both vessels will therefore be required. These guidelines are not foolproof, however, because there may be some occasions, e.g. when an underwater protrusion from a jetty damages a berthing vessel, when the owner of the static property may be at least partially liable for the incident. In such a case a joint survey of both the static property and the vessel will be required. Furthermore, a submarine which surfaces under another vessel will usually be totally liable for the collision even though both vessels were underway.

c. The question of fault may be irrelevant to liability when a vessel involved in a collision is hired under a contract. For an example, see paragraph 7.

6. **Near Miss Incidents.** Article 4501.2d should be carefully noted because claims are often received when, on subsequent inquiry, the Commanding Officer has reported that no apparent damage was caused and that no record of the incident is held.

7. **Towage Incidents.** The conditions under which a commercial tug is hired to tow or assist a naval vessel may and usually do provide that the owner of the naval vessel (viz. the MOD) will be liable for all damage caused to or by the tug while the tug was under the control of the naval vessel, as well as for all damage caused to or by the naval vessel, unless the owner as opposed to the Master of the tug was negligent. The question of negligence is therefore usually (but not always) irrelevant to the question of liability for towage incidents. In such cases the format of the signal specified in 4505 and the answers on the Form S.232 should be amended accordingly.

8. **NATO Status of Forces Agreement (NATO SOFA).**

a. When a vessel belonging to a NATO navy damages a vessel or property belonging to another NATO navy, the claim between the two navies will be waived if, at the time of the incident, either the vessel causing the damage or the vessel or property to which the damage was caused, was being used in connection with the operation of the North Atlantic Treaty (paragraph I of Article VIII of NATO SOFA).

b. When a vessel belonging to a NATO navy damages privately-owned vessels or property in the territory of another NATO state, the right of action of the owner of the damaged vessel or property is directly against the government of the state to which the vessel which caused the damage belongs (paragraph 5h of Article VIII of NATO SOFA).



Nevertheless, DJEP-CLCP is prepared to forward claims to the government of the state concerned in cases involving damage caused to property owned by private individuals who are United Kingdom citizens by a vessel belonging to a NATO country, or in certain circumstances, to other foreign navies.

**9. Detention Abroad of Vessels in the Naval Service.**

a. If a vessel in the Naval Service has caused or is alleged to have caused damage to property in a foreign state, the Commanding Officer may advise a foreign authority claiming damage under the terms of **4502.2a** and invite them to submit any claim to the DJEP-CLCP through the British Embassy/High Commission (this would normally be through the Naval Attaché where there is one) or through the British naval authority for the area, where there is one.

b. A foreign authority which attempts to detain a vessel in the Naval Service should be advised that under the internationally recognized doctrine of 'sovereign immunity', *inter alia*, no state other than the United Kingdom has any civil or criminal jurisdiction over:

(1) A vessel in the Naval Service of the Crown.

(2) The officers and crew of a vessel in the Naval Service for navigational or seamanship errors or wrongs committed in the service of the Crown, where the exercise of the jurisdiction would necessarily lead or amount to the detention of the vessel.

c. If the foreign authority persists in attempting to detain the vessel the Commanding Officer should:

(1) Insist on the 'sovereign immunity' of the vessel, its officers and crew.

(2) Resist any attempt by an authority of that state to arrest, detain or interfere with the programme of the vessel.

(3) Proceed without delay on the planned programme.

In taking action under c(i) and c(iii), the Commanding Officer must act with discretion to avoid any misunderstanding with, or cause unnecessary offence to, the foreign authority. Where appropriate, he/she should seek advice directly from the British Embassy/High Commission as well as taking the action under sub paragraph d.

d. As soon as any attempt is made to arrest, detain or interfere with the programme of a vessel in the Naval Service, an immediate signal (SIC LAL and Z4E) is to be made to the MOD (Navy), copies for information to the Foreign and Commonwealth Office, the British Embassy/High Commission and the British naval authority for the area, where there is one. Subsequently, a full written report, detailing the damage caused or allegedly caused and all communication with the foreign authorities should be made to the MOD (Navy) (see **4507**) who will copy it to the British Embassy/High Commission in the country concerned and to the Foreign and Commonwealth Office in London.

e. The doctrine of 'sovereign immunity' applies equally to member and non-member states of NATO, notwithstanding the NATO Status of Forces Agreement or any Memorandum of Understanding between Her Majesty's Government and the government of the state concerned.

10. **Arrest of Merchant Vessels in Collision.** Any ship, other than a non-commercial ship owned by a foreign state, that has caused injury to any ship or other property belonging to the MOD (Navy) can be arrested through the established legal procedure by the proper officer of any court having jurisdiction, and the requisite steps to this end will be taken by the Government Legal Department (GLD) direct or through agents he/she may appoint for the purpose. To ensure that this action is taken in time, however, it is important that DJEP- CLCP is informed immediately whenever:

- a. A foreign vessel causes substantial damage to MOD (Navy) property; or
- b. A foreign vessel causes damage to MOD (Navy) property in the United Kingdom and it appears probable that the vessel will sail out of United Kingdom territorial waters in an attempt to evade British jurisdiction; or
- c. An unidentified vessel causes damage to MOD property. If the incident occurs outside office hours, no steps can be taken against the offending vessel but every effort should be made to persuade the vessel to remain in British waters until the resumption of normal office hours. The civil police and HM Coastguard may be prepared to assist in tracking or identifying vessels which leave the scene of the incident. (See **4507** and paragraph 22 of this Annex.)

11. **Legal Proceedings.** Legal proceedings should not be taken or authorized in any court by any officer, either at home or abroad without the approval of DJEP-CLCP.

12. **Repairs to Property not Owned by the Ministry of Defence.** Except in extremes to save life or to avert further serious damage to ship or cargo, no steps should be taken to effect repairs to damage caused by a naval vessel to property not owned by the MOD, unless the repair work is carried out under the usual procedure for repayment services and entirely without prejudice to the question of liability for the damage.

13. **Limitation of Liability.**

When any vessel, including a naval vessel, causes damage to property belonging to another party, there is a limit to the amount which the owner of the vessel is liable to pay the other party in compensation for the damage. This limit is known as the 'limitation fund' of the vessel and is related to the vessel's tonnage. The limitation fund of a naval vessel is calculated by multiplying 90% of the gross tonnage of the vessel as indicated by the Certificate of British Tonnage for Her Majesty's Ships (Form Sur.61) or other official British Certificate by an amount specified by the Department of Trade to be equivalent to 1,000 gold francs. DJEP-CLCP holds information about the current sterling equivalent of 1,000 gold francs for limitation of liability purposes.)

## SURVEYS

### 14. Joint Surveys.

a. **Damage to Property not Owned by the Ministry of Defence.** When damage is caused, or alleged to have been caused, by a naval vessel to vessels or structures not owned by the MOD, it is important that the damage caused, shall be jointly surveyed by competent surveyors representing the MOD and the owners of the damaged vessel or structure. In cases of minor damage, however, it may not be cost effective for the MOD to be represented at a survey. The following should be used as a guide:

(1) When the cost of repairs is considered likely to be less than £50 or a claim for repair costs is received for a sum of less than £50, no representation at a survey is necessary.

(2) When the cost of repairs is considered likely to be less than £500 but more than £50 or a claim for repair costs within these limits is received, the MOD need not be represented at a survey but full details of the damage should be forwarded for vetting to the local Defence Land Agent, Defence Infrastructure Organisation (DIO) or to the MOD authority (as listed in paragraph 15) whose representative would have attended a joint survey had it been considered necessary.

(3) When repair costs are likely to exceed £500 or if there is any doubt either about how much the costs will be or about the extent of the damage caused in the incident, joint survey facilities should be sought and arranged with the other party.

b. **Damage to Naval Property.** When damage is caused by a vessel not owned by the MOD (Navy) and the owner of the vessel may be liable for the damage, it is important that the representatives of the vessel are offered the opportunity to attend a joint survey of the damage.

15. **Ministry of Defence Surveyors.** The surveyor who represents the MOD at a joint survey will usually be one of the following:

a. DISS - ADS/MWA UG	Merchant or navel vessels other than those specified in <i>b</i> below, catamarans, pontoons, buoys, etc.
b. DISS- ADS/MWA	Royal Fleet Auxiliaries and, as arranged with the local NSPO or PNO, merchant vessels with which an RFA has collided.
c. DIO –SCG	Static property such as jetties and other structures.
d. Local commerical surveyor	Any property when: (i) It is not cost effective for an employee of the MOD to survey the damage (e.g. when costly/time consuming travelling time might be involved); or

	(ii) There is likely to be a major dispute about the cost of repairs; or
	(iii) Evidence of the angle and speed of impact is required; or
	(iv) There is not time to arrange a joint survey to include a MOD/DWS appointed surveyor.
	(v) Abroad.
e. Specialist MOD Surveyors	Specialised or complex equipment such as underwater cables.

#### 16. Arrangement of Joint Survey.

- a. The responsibility for arranging a joint survey rests with the appropriate authority specified in **5928.2**, who will arrange for the surveyor representing the MOD to be requested to carry out the joint survey.
- b. When a survey of a naval vessel in one of HM Dockyards is required, however, the General Manager of HM Dockyard is to nominate the surveyor who will represent the MOD and is to ensure that the name and telephone number of the surveyor is passed as soon as possible to the authority dealing with the claim.
- c. Joint surveys can usually be arranged by the telephone number of one surveyor being passed to the other surveyor so that the surveyors may themselves arrange a mutually convenient time and date. An alternative procedure in cases of damage to naval property only is for the representative of the other vessel to be given the date, time and place on which he may attend a joint survey.
- d. In cases where the GLD or other solicitors acting for the MOD decide that a reputable local commercial (independent) surveyor should be a party to the joint survey, the name and telephone number of the independent surveyor will be reported to the authority dealing with the claim who is to make arrangements for the independent surveyor to attend the joint survey.
- e. In circumstances when:
  - (1) It is not cost effective for an employee of the MOD to attend a joint survey; or
  - (2) There is not time to arrange a joint survey; or
  - (3) Abroad;
 the appropriate authority specified in **5928.2** may instruct a reputable local commercial surveyor to represent the MOD at the joint survey (see paragraph 15e).
- f. Under no circumstances may a survey take place of property owned by another party without the express consent of that party.

17. **Purpose of Joint Survey.**

a. **Damage to Property not Owned by the Ministry of Defence.** The purpose of a survey of damage to vessels or structures not owned by the MOD is to ensure that the owner of the damaged property claims an amount of compensation which is fair and reasonable. This amount will be the cost of repairing the damage or, if the vessel or structure is an actual or constructive total loss, the value of the vessel or structure immediately prior to the incident. In addition, the owner may claim miscellaneous expenses such as transport costs, loss of use etc. The surveyor representing the MOD should ensure that at the survey he obtains sufficient information about the damage to enable him/her to vet the owner's claim at a later date and to advise whether or not it is fair and reasonable.

b. **Damage to Naval Property.** The purpose of a survey of damage to vessels or structures owned by the MOD (Navy) is to minimize the possibility of the representatives of the owner of the other vessel alleging that the extent of damage repaired, the cost of repairs or the time taken to repair is excessive.

18. **Joint Survey Agreement.** It may be possible for the surveyors to reach an agreement on site about the amount that should be claimed, thus keeping subsequent negotiations to a minimum. The surveyor representing the MOD should attempt, therefore, to agree the following with the other side's surveyor:

- a. The extent of damage.
- b. The materials required to repair the damage.
- c. The number of hours required to repair the damage.
- d. The earliest date on which repairs could be completed, having regard to both time taken to repair and availability of appropriate repair yards.
- e. If possible:
  - (1) The estimated cost of repairs; and
  - (2) The estimated cost of any relevant miscellaneous expenses.
- f. In cases of actual or constructive total loss, the replacement value of the vessel or structure needs to be estimated only to sufficient accuracy to show that it exceeds the replacement value. If an independent surveyor instructed by the MOD is attending the joint survey, they should be brought in as a third party to the agreement.

19. **Estimate of Cost of Repairs.** When attempting to estimate the cost of repairs to property lost or damaged as a result of a collision, the surveyor representing the MOD should bear in mind the following:

- a. A joint survey should be carried out not only of the vessel or structure, but of all related equipment, stores, armaments, kit and personal effects lost or damaged as a result of the collision.

b. An estimate for cost of repairs is fair and reasonable when the repairs could not reasonably have been carried out at less cost. A vessel or structure should therefore be repaired by the contractor who tendered the lowest estimate (or who would have tendered the lowest estimate had he been invited to tender) having regard to transport cost, the time taken to complete repairs and the costs incurred through the loss of use of the vessel or structure, etc. This applies even to owners who effect repairs by direct labour, such as the MOD (Navy).

c. The estimate should be sufficient to restore the vessel or structure to the condition it was in before the incident occurred. If it is thereby unavoidable for the vessel or structure to be restored to a better condition than it was in before the incident, then it is the claimant's good fortune and the other party's misfortune.

20. **Joint Survey Report.** When attempting to estimate the cost of repairs to property lost or damaged as a result of collision, the surveyor representing the MOD should bear in mind the following:

a. **Report by Surveyor.** The items agreed at the joint survey should be listed in a report and signed, without prejudice, by each surveyor who should each retain a copy of the report; items which could not be agreed should also be listed. In cases of considerable damage, the report is to include diagrams showing in detail the nature of the damage surveyed, together with photographs when practicable. (See also paragraph 21 below.)

b. **Covering Letter.** The surveyor representing the MOD should forward the report of the joint survey, under cover of a letter, to the authority specified in 5928.2 dealing with the claim, with a copy to the authority who instructed them. They should include in the covering letter any information which was obtained at the survey and which appears relevant to the claim but which is not included in the report. In cases of damage to property owned by the MOD (Navy) they should state also who is carrying out the repairs and give approximate dates for the commencement and completion of repairs.

c. **Interim Report.** In some cases it may be necessary to delay coming to an agreement with the other surveyor until the vessel has been slipped. In such cases the surveyors should come to an interim agreement and the surveyor representing the MOD should produce an interim report.

d. **Cost of Survey.** When the other vessel may be at least partially liable for the incident, the surveyor representing the MOD should forward with the covering letter an assessment of the costs incurred by the MOD in carrying out the survey(s). These costs will form part of the MOD claim against the owners of the other vessel.

21. **Photographs and Plans of Damaged Naval Property.** If the surveyor representing the other vessel requires photographs of the damage or plans of the damage to the naval vessel or structure, these may be released if they are unclassified on the condition that they are not to be copied or published in any form and are to be returned when no longer needed. Photographs are to be taken by a naval photographer and are to be vetted before being released. If the photographs or plans are classified, guidance should be sought from DJEP-CLCP.

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22. **Preliminary Estimate.** When a vessel causes considerable damage to property owned by the MOD (Navy), or when a foreign vessel causes damage to such property, the GLD, on the authority of DJEP-CLCP may take steps to arrest the vessel. In such cases it may be necessary before the vessel is allowed to proceed for the GLD to seek from the representatives of the other vessel financial security in the form of an undertaking that the owners of the vessel, if liable for the incident, will pay the MOD a particular sum in compensation. In these circumstances it will be necessary for the surveyor representing the MOD immediately after the collision to estimate the cost of repairs to the damage as accurately as possible in the time available. Such estimates should be forwarded immediately to DJEP-CLCP.

23. **Minimizing Losses.**

a. **Damage to Property not Owned by the Ministry of Defence.** When damage is caused by a naval vessel to property not owned by the MOD it is the claimant's duty to minimize the losses as far as it is reasonable able to do so and to effect repairs as soon as is reasonably practicable to avoid any deterioration in the state of the damage or any unnecessary costs arising out of the loss of use of the property. It is therefore for the claimant to decide how best they are able to minimize the losses and how and when they should effect repairs. Care should be taken by the authority dealing with the claim not to interfere with this duty imposed upon the claimant.

b. **Damage to Naval Property.** When damage is caused by merchant vessels to vessels or structures owned by the MOD (Navy) it is important that the authority responsible for the vessel or structure does not allow the possibility of future claim action to delay repairs. If it is necessary for the repairs to be effected before a joint survey can be carried out, either for operational reasons or in order to minimize the losses incurred as a result of the incident, photographs should be taken which show clearly the extent of the damage or, alternatively, an independent surveyor may be instructed by one of the authorities specified in **5928.2**.

24. **Costing of Repairs.** Details of the methods used to cost repairs to naval property damaged in a maritime incident are to be found in BR 672, *Accounting Instructions for Repayment Services*, Chapter 7.



**CHAPTER 60****INDEMNITIES**

*(MOD Sponsor: DJEP CLCP)*

This chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

**Para**

- J.6001. General
- J.6002. Passengers in Service Transport
- J.6003. Visitors to Service Establishments, etc.
- J.6004. Use of Service Facilities (Including Service Transport other than Road Transport) for Unofficial and Recreational Activities
- J.6005. Testing and Evaluation of Commercial Equipment
- J.6006. Use of MOD Property by the Media
- J.6007. Adventurous Training Expeditions
- J.6008. Service Participation in Non-Service Band Engagements, Air Displays etc.
- J.6009. Service Assistance to Outside Organizations



## CHAPTER 60

### INDEMNITIES

#### J.6001. General

1. As a general rule, when a facility or service is granted to another party which does not materially benefit the Ministry of Defence, or where the balance of the benefit is to the other party, steps should be taken to ensure that the Ministry of Defence is indemnified against risks which might arise. The purpose of an indemnity (which is sometimes incorporated into an insurance policy, licence or contract) is to transfer to another party the financial consequences of the Department's legal liability together with any other expenses which may be incurred, and which would otherwise fall to be paid from funds authorised by Parliament for Defence purposes. Instructions on the more typical circumstances in which indemnities are required are given in this section.

2. No amendment is to be made to an approved form of indemnity without the agreement of the appropriate Ministry of Defence authority.

3. On occasions, indemnities may be sought by other parties when facilities or services are granted by them to the Ministry of Defence. In such circumstances reference is to be made to the appropriate Ministry of Defence authority before any agreement is entered into.

4. The Ministry of Defence authorities to whom questions concerning indemnities should be referred are:

- a. DJEP CLCP - General policy for the Services.
- b. DIO - Use of Ministry of Defence land and property.
- c. CLS – Repayment, MOD civilian and MOD(DE&S) matters.
- d. D Commercial - Procurement contract matters.

#### J.6002. Passengers in Service Transport

1. Passengers whose carriage in Service transport is clearly in the interests of the Ministry of Defence may be regarded as MOD sponsored. Examples of MOD sponsored passengers are as follows:

- a. Service personnel, Ministry of Defence civilians and other Crown servants carried in the course of duty.
- b. Persons engaged in a Ministry of Defence contract whose carriage is necessary to the contract. (Such carriage should normally be subject to the conditions of the relevant contract).
- c. Persons whose carriage is officially approved by DNR, DAR or DofR (RAF) with a view to future recruitment.
- d. Persons carried in an emergency on urgent compassionate grounds.

- e. Persons carried for public relations reasons which have been approved by DDC staff or the relevant Front Line Command.
  - f. Representatives of the news media where their carriage is of public relations benefit to the Services and where their carriage has been approved by DDC.
  - g. Families carried in vessels on Royal Navy Families days.
  - h. Representatives of the media where a charge representing the equivalent of full commercial costs is raised against the employer or person concerned.
2. Further instructions covering the carriage of passengers in Service vehicles are given in JSP 800, Vol 5 Road Transport Policy
3. Passengers whose carriage in Service transport is in relation to Repayment or Income Generation activity must pay a charge which must include an insurance element in accordance with the *MOD Guidelines on Income Generation*.

#### **J.6003. Visitors to Service Establishments**

1. No indemnity is required from persons wishing to enter Service establishments, units, ships or other Ministry of Defence premises in the course of duty, on approved business (e.g. for recruiting, welfare, open days or other purposes connected with the Services) or in order to make bona fide visits to persons serving in establishments, units, ships, etc. However, because the Ministry of Defence may be liable to pay compensation in the event of accidents occurring to visitors whilst on Ministry of Defence premises, action is to be taken, where this is practicable, to ensure that visitors are not exposed to any obvious hazards. This is particularly important when visitors are in an unfamiliar environment such as a ship, dockyard, workshop etc.
2. Liabilities arising from visits by contractors' personnel will normally be covered in the terms and conditions of the appropriate Defence contract.

#### **J.6004. Unofficial and Recreational Activities**

1. When approval is given for the use of Service facilities including transport (other than road transport - see **J.6002**, Clause 2 above) for unofficial or recreational purposes then an indemnity is normally required.
2. Reference should be made to the following instructions:
- a. By non-Service organisations for activities such as dances, sports meetings, driver training and testing, rallies etc. (See JSP 362, Defence Lands Handbook).
  - b. For civil flying, use of Ministry of Defence aerodromes including civil participation in Open Day and At Home air displays. (See JSP 360, Use of Military Aerodromes by Civil Aircraft.).
  - c. By Service clubs and Service personnel for unofficial activities. (See JSP 362, Defence Lands Handbook).

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3. Further advice may be obtained from DJEP CLCP or from the appropriate DIO Office.

### J.6005. Testing and Evaluation of Commercial Equipment

1. Where a commercial organisation offers equipment to a Service establishment for testing and evaluation with a view to furthering sales or in the hope of influencing subsequent Ministry of Defence procurement, it will usually be appropriate for the Department to seek an indemnity from the supplier against accidents which might occur during or as a consequence of the trials. The indemnity requirements will normally be included in a formal loan agreement, but in the absence of such an agreement the establishment's finance officer is to be notified and D Commercial is to be consulted as necessary.

### J.6006. Use of MOD Property by the Media

1. When MOD DDC staff are considering approval for representatives of the media to be admitted on to Ministry of Defence property for the purpose of producing feature films, documentaries or drama series then advice on indemnities is to be sought from DJEP CLCP at an early stage. No indemnity is required when representatives of the media are admitted on to Ministry of Defence property for the purpose of covering the normal activities of the Services, e.g. for news reports or similar. If any doubt exists about the necessity for indemnification then DJEP CLCP is to be contacted.

### J.6007. Adventurous Training Expeditions

1. Details of insurance requirements for adventurous training expeditions and a form of indemnity for civilian participants are contained in **BRd 51 (1-4)**, *Adventurous Training in the Royal Navy*. Further advice is published in Defence Instructions and Notices.

### J.6008. Service Participation in Non-Service Band Engagements, Air Displays etc.

1. **Service Bands.** Reference should be made to JSP 813 for details of indemnity and insurance requirements which apply when Service bands participate in engagements for the benefit of non-Service organizations, i.e. Category II and Category IV engagements.
2. **Air Displays.** Guidance can be found in the Military Aviation Authority (MAA) Regularity Article (RA) 2335—Flying Displays and Flypasts—within the 2000 Series of the Military Aviation Authority Regulatory Publications (MRP) and JSP 360 Use of Military Aerodromes by Civil Aircraft. The Insurance requirement is currently met by the MOD Third Party Aviation Liability Insurance Policy managed by DJEP CLCP.

### J.6009. Service Assistance to Outside Organisations

1. Instructions governing particular occasions when Service personnel are required to render approved forms of assistance to civil authorities and other outside organisations, together with the relevant indemnity and insurance requirements, are contained in, *Military Aid to the Civil Authorities - Joint Doctrine Publication*, including peace time emergencies and other assistance to the civil community and DINs.
2. Details of indemnity requirements for other types of assistance which are not covered in this section may be obtained from the appropriate MOD authority. (See **J.6001.**)

## CHAPTER 61

### REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES



**NOTE.** *There is a wholesale review of the legalities regarding marriages, both church and registry in England and Wales, by the Ministry of Justice with a new act presented to Parliament in Spring 2021*

(MOD Sponsor: Chaplain of the Fleet)

#### SECTION I - GENERAL

##### Para

- J.6101. General
- J.6102. Marriages in the United Kingdom
- J.6103. Marriages Outside the United Kingdom under Foreign Marriage Acts
- J.6104. Civil Registration of Births and Deaths in the United Kingdom
- J.6105. Service Registration of Births, Deaths and marriages Outside the United Kingdom
- J.6106. Local Registration of Births and Deaths Outside the United Kingdom
- J.6107. Record of Deaths and Births in Ships Log

#### SECTION II - BANNS OF MARRIAGE IN HM SHIPS AT SEA

- 6121. Naval Marriages Act, 1908, and Marriage Act, 1949, Section 14 (1)
- 6122. Application of Banns of Marriage
- 6123. Request for Publications of Banns
- 6124. Publication of Banns
- 6125. Forbidding of Banns
- 6126. Certificate of the Publication of Banns
- 6127. Disposal of Records

#### SECTION III - NOTICE OF MARRIAGE IN HM SHIPS AT SEA

- 6131. Naval Marriages Act, 1908, and Marriage Act, 1949, Section 39 and Marriage Act, 1983
- 6132. Application of Notice of Marriage
- 6133. Spare
- 6134. Notice of Marriage Given to the Captain On Board HM Ships
- 6135. Publication of Notice
- 6136. Marriages in Scotland
- 6137. Northern Ireland Marriages
- 6138. Objections to Marriage
- 6139. Certificate of Marriage
- 6140. Disposal of Records

#### ANNEXES

- Annex 61A. Arrangements for Marriages of Same Sex Couples

## CHAPTER 61

### REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES

#### SECTION I - GENERAL

##### J.6101. General

1. A member of HM Forces is responsible for updating their marital status via their HR Administrator. Any costs incurred in connection with the registration of births, deaths and marriages are to be paid by the individual concerned or their next-of-kin.
2. (*Navy only*.) **Marriages – Reports.** Officers changing their name on marriage are to report the fact to their Career Manager via their Command Chain.
3. (*Army and RAF only*.) **Adoption of Children.** Adoption of a child is to be reported in the same way as a birth and the Commanding Officer is to be furnished with a copy of the Adoption Order or a certificate of the entry in the Adopted Children's Register. The same procedure is to apply when an interim order is made or when the child of a member of HM Forces is adopted by some other person.

##### J.6102. Marriages in the United Kingdom

1. The requirements of the law relating to the publication of banns or giving notice of marriage and to the solemnization and registration of a marriage vary according to whether the marriage takes place in England and Wales, in Scotland or in Northern Ireland. To ensure that they are aware of the requirements of the law of the country in which they, or members of their families, intend to marry, Service personnel are advised to contact the relevant Registrar General's Office.
2. (*Navy only*.) The conditions applying to the publishing of banns of marriage or giving notice of marriage in HM ships at sea are set out in Sections II and III.
3. **Marriage in Service Chapels.** Marriages may be solemnized in Service chapels in England and Wales which have been licensed or registered for the purpose. Personnel who wish to be married in a Service chapel should consult the Chaplain (*Navy only; Further details on marriages in Naval Churches and Chapels can be found in BR 439*).
4. **Guidelines for the Conduct of Marriages in Armed Forces Chapels**
  - a. Marriages in England and Wales take place under the provisions of the Marriage Act 1949. This legislation allows certain buildings to be certified as Armed Forces Chapels for the purposes of conducting marriages, which in turn determines who may marry in such chapels and how such marriages may be conducted. Most places of worship on the defence estate are armed forces chapels. The term "chapel" is used here, reflecting the legislation, although the building may more usually be known as a church or otherwise.

b. This guidance is provided primarily for those who may be considering getting married in an armed forces chapel. In particular, it clarifies who may preside at a marriage in an armed forces chapel and the role of the Service chaplain, which has not previously been set out in regulations or guidance, and the procedures to be followed. It also outlines the different arrangements which apply to opposite sex and same sex marriages.

c. Marriages conducted in Scotland and Northern Ireland are subject to separate legislation and therefore different arrangements apply (see below paras 18/19). In addition, in certain circumstances, marriages and civil partnerships may take place under MOD auspices overseas (see paras 20/21).

d. **Eligibility to Marry.** The Marriage Act 1949 provides (under Section 68) that a person may marry in an armed forces chapel if he or she:

- (1) is serving in any of the regular armed forces of the Crown; or
- (2) has served in any of the regular armed forces of the Crown (otherwise than with a commission granted or under an engagement entered into only for the purpose of a war or other national emergency); or
- (3) is serving as a member of the Reserve Forces on a mobilised or FTRS basis; or
- (4) is a daughter, son, step-daughter or step-son of a person qualified under sub-paras (i) to (iii).
- (5) is a civilian and is on the electoral rolls of the single Service Archdeaconries.

e. For marriage according to the rites of the Church of England, the following residency criterion applies:

- (1) The person concerned would be entitled to marry in the parish church of the parish in which the military chapel lies; (ie the person concerned lives in the same parish as the chapel).
- (2) If neither party has residential qualification in the civilian Parish, then an application must be made for the issue of a Special Licence. It should be noted that the issue of an Archbishop's Special Licence is not automatic.

5. **Opposite and Same Sex Marriage.** The Marriage (Same Sex Couples) Act 2013 amended the Marriage Act 1949, so that it covers the marriage of both opposite and same sex couples. As of 3 Jun 14, it can be lawful for a same sex marriage to take place in an armed forces chapel. Nevertheless, special arrangements apply to the marriages of same sex couples: see Annex A.

6. **The Role of the Service Chaplain.** Most armed forces chapels form an integral part of the defence estate and fall under the overall responsibility of the Commanding Officer/Head of Establishment. In general, day-to-day responsibility for the use of the chapel will be delegated to a Service chaplain. In larger units, responsibility may be shared between a number of chaplains.

7. A chaplain's authority to solemnise a lawful marriage in an armed forces chapel does not derive from their posting to a unit in that location. It derives from their appointment as an "authorised person" by the Secretary of State. Authorisation is specific to a particular chapel (although a person may be authorised for more than one chapel). Appointment is by means of a letter, signed on behalf of the Secretary of State by a Head of Chaplaincy of the armed forces or his representative. To ensure that the authorisation is correctly carried out and duly recorded, the letter is transmitted to the authorised person through the General Register Office.

8. **Who May Solemnise a Marriage.** It is MOD policy that a marriage in an armed forces chapel should be solemnised by a chaplain who is authorised for that chapel. A couple who wish to get married in an armed forces chapel can normally assume that the resident or unit chaplain will fulfil that requirement; they do not need to make specific enquiries in that regard (NB: that assumption should not be made for a marriage of a same sex couple; see Annex A).

9. Any exception to that policy requires the agreement of the Head of Chaplaincy of the relevant Service (this requirement to be reflected in Queen's Regulations in due course). Exceptions may be considered in the following circumstances:

a. **Non-availability of an Authorised Chaplain.** Examples of where this could arise include gapped posts, deployments, leave, or sickness absence.

b. **Denomination.** A couple may wish to marry using the rites of a Christian religious denomination which is different from that of the authorised chaplain.

c. **Personal preference.** A couple may have strong personal reasons why they would wish to be married by a particular minister (eg a relative or a chaplain from a different unit).

d. **Matters of Conscience.** Where the authorised chaplain does not wish to solemnise the marriage for reasons of conscience (eg where the marriage involves a divorcee). Special considerations apply to same sex marriage – see Annex A.

10. It should be noted that additional flexibility arises from the ability of more than one minister to attend a marriage service. For example, the requirement for the authorised chaplain to be present does not prevent another minister (such as a friend of the couple, or a minister of a different denomination) taking a leading role in the religious service. The authorised chaplain must retain responsibility for the registration of the marriage. It will be at the discretion of the authorised chaplain to agree to such arrangements, and couples who envisage using them are advised to make early contact. However this approach is preferred for the situations described at paras 9 b and c above, and avoids the need for an exception to be approved.



11. If a couple do wish to seek an exception to the policy that the authorised chaplain should be present, an application must be made to the office of the relevant Head of Chaplaincy, normally at least 6 months before the preferred date for the marriage, to allow time for the necessary administration to be completed. A couple may either nominate a chaplain or other minister of religion who they wish to solemnise their marriage, or ask the Chaplaincy Department to appoint a suitable person. The Head of Chaplaincy has complete discretion to decide whether a minister nominated by the couple would be an appropriate appointee. It should be noted that a minister of a Christian denomination which does not provide Chaplains to the Armed Forces will not be permitted to solemnise a marriage in an armed forces chapel.

12. Applications should be addressed to the relevant Head of Chaplaincy (dependent on the parent Service for the Establishment) as follows:

Chaplain of the Fleet  
Naval Chaplaincy Headquarters  
Tanner Building  
HMS EXCELLENT  
Whale Island  
Portsmouth PO2 8ER  
Tel: 0300 1569176

13. Should the Head of Chaplaincy agree that a marriage may be solemnised by a minister other than the authorised chaplain, their office will arrange for the necessary authority to be issued. It should be noted that although there are two categories of persons who can lawfully solemnise a marriage in an armed forces chapel without the need for further authority<sup>1</sup>, it is not MOD policy to permit this, except by the process outlined above of application to the Head of Chaplaincy.

14. **Civil Marriage, Religious Marriage and Civil Partnership.** Only marriages using the authorised rites of a Sending Church may take place in an armed forces chapel. It is unlawful for a civil marriage or a civil partnership to be concluded in an armed forces chapel.

15. Couples who enter a civil marriage or civil partnership elsewhere, but wish to have their marriage/partnership marked by a blessing or other ceremony in an armed forces chapel, may apply to the Service chaplain responsible for that chapel for permission to do so. The chaplain may only perform such a ceremony if to do so would be in accord with the practice of his/her denomination. However, notwithstanding any denominational approval for such a ceremony, the chaplain would retain the right to refuse to conduct such a ceremony as directed by his/her conscience in the matter.

16. Armed forces' chapels are dedicated and set aside as places for Christian worship only. They cannot be used as venues for marriages conducted according to the practice of other faiths.

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<sup>1</sup> These categories are (1) a minister of religion who is licensed/authorised to conduct a marriage in a different place of worship, which is within the same registration district as the armed forces chapel; and (2) a civilian registrar for that same registration district.



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17. Buildings other than places of worship can be licensed by local authorities for the conduct of civil marriages and civil partnerships. Whilst there is no reason in principle why a building on the Defence Estate could not be licensed in this way, the criteria for licensing are unlikely to be satisfied in terms of unrestricted public access. There are accordingly no plans for any defence building to be so licensed.

18. **Scotland.** Armed Forces personnel wishing to marry in Scotland must be aware that there is no separate registration of buildings for purposes of marriage and all marriage preliminaries must be completed in Scotland. There is no alternative procedure available to officers and personnel borne on the books of Her Majesty's ship's at sea. The process for marriage in Scotland is noted in BR2.6136.2.

a. For Same Sex couples wishing to be married by an Authorised Person, the same arrangements as in place for England and Wales must be followed.

19. **Northern Ireland.** Personnel who wish to marry in Northern Ireland should seek advice from the unit Chaplain or chain of command. There is no longer an alternative procedure available to officers and personnel borne on the books of Her Majesty's ships at sea. It should be noted that the marriage of same sex couples is not lawful in Northern Ireland.

20. **Overseas Marriage.** The Marriage Act 1949 allows members of the Armed Forces, civilians subject to service discipline, and their children, to enter into a civil or a religious marriage overseas under the provisions of UK legislation. With effect from 3 Jun 14, the procedures applying to such marriages will depend on the part of the United Kingdom in which the couple wish their marriage to be registered. Marriages to be registered in England & Wales, or Scotland, will take place under the provisions of The Overseas Marriage (Armed Forces) Order 2014. These revised arrangements will be reflected in Standing Orders. Marriages to be registered in Northern Ireland, which must be opposite sex marriages, will take place under the provisions of The Foreign Marriage (Armed Forces) Order 1964.

21. Couples wishing to marry overseas, including same sex couples, should in the first instance contact their chain of command or Service chaplain for more detailed information on the procedures to be followed. There is no separate registration of buildings for purposes of marriage overseas.

22. Special care needs to be taken when a wedding is planned in a service chapel in England or Wales, but the couple are resident in Scotland, Northern Ireland or abroad. Early advice from the local Registrar's Office should be taken to confirm the residency requirements.

**J.6103. Marriages Outside the United Kingdom under Foreign Marriage Acts**

1. The Foreign Marriage Acts 1892–1947 and the Foreign Marriage (Armed Forces) Order 1964 provide for marriages to be solemnized and registered in any foreign territory by a chaplain serving with any part of the Armed Forces of the Crown in that territory, or by an authorized person. (*Navy only.*) At present no Naval Chaplain is an authorized person.
2. Persons who wish to marry under the provisions of the Acts should obtain early advice in order to ensure that they may have sufficient time to comply with the necessary formalities.
3. Before a marriage can be solemnized under these Acts the chaplain or authorized person must be in possession of a certificate signed by or on behalf of the Senior Officer of the Service in the territory.
4. A person wishing to be married must give notice to their Commanding Officer with the following particulars regarding themselves and (so far as they are within their knowledge) the other party to the marriage:
  - a. Full name.
  - b. Age.
  - c. Nationality.
  - d. Condition (bachelor, spinster, widower, widow, divorced).
  - e. If a member of the Forces, full Service particulars (or, if a female as in Article 2 of the Order, the exact employment held).
  - f. Home address, or if none, residence and names of next-of-kin.
  - g. Full name, address, rank and profession of father.
5. After checking the particulars as far as possible from the records available to them, the Commanding Officer is to ensure that the notice is endorsed with the name of the chaplain or authorized person who is to officiate at the ceremony and forward it to the Senior Officer for approval. When the Senior Officer has reached a decision on the application they will notify both the applicant and the chaplain of their decision.
6. If either of the parties is a minor the written consent of the parents or guardians of the minor is to be forwarded with the notice or, if consent is unobtainable, the reason is to be stated.

#### **J.6104. Civil Registration of Births and Deaths in the United Kingdom**

1. When a member of HM Forces dies in the United Kingdom their Commanding Officer is to ascertain whether the relatives have registered the death. If they have not the Commanding Officer is to notify the Registrar or is to ensure that notification is given by a convenient Service unit or establishment.
2. Personnel are themselves responsible for notifying to the local civilian Registrar births and deaths which occur in their families.

#### **J.6105. Service Registration of Births, Deaths and Marriages outside the United Kingdom**

1. The Registration of Births, Deaths and Marriages (Special Provisions) Act 1957, and the Service Departments Registers Orders 1959, 1963 and 1988 made thereunder provide for the registration of births, deaths, still births, marriages and civil partnerships occurring outside the United Kingdom among members of the Armed Forces and civilians serving or working with them, and the families of such persons, and of deaths and births occurring on board Her Majesty's ships or aircraft. Advice on this topic is to be sought from the General Register Office for England and Wales.
2. Registration under the provisions of the Act is not to be applied in respect of births, deaths and marriages occurring to locally-engaged personnel or their families, or to locally-engaged servants, or to any persons who have no domicile in or connection with the United Kingdom such as would justify entries in the records of the General Register Office.
3. **Method of Registration.** Service personnel and civilians are responsible for ensuring the registration of their own marriages and of the births, deaths or marriages which occur in their families.
4. **Registration in Special Cases.** Attention is drawn to the conditions applying to late registrations (i.e. more than 12 months after the date of a birth, death or marriage) and to the registration or re-registration of births of legitimated children. Where it may be necessary to presume death (or in other circumstances where there is no 'qualified informant') no registration is to be effected, but full details are to be reported to the Ministry of Defence (NP Sec (P&P)2) who will ask the Registrar-General to authorize registration of the death. If they approve, they will give the necessary authority to the Overseas Registration Section at the General Register Office, Southport. The late registration is then made in registers held by that office. (*Navy only.*) See Chapter 57 and JSP 318, *Military Flying Regulations* concerning the presumption of deaths resulting from naval aircraft accidents.
5. **Registration of Marriages Under the Foreign Marriage Acts.** The officiating Chaplain is responsible for initiating the registration of a marriage solemnized under the provisions of the Foreign Marriage Acts.
6. **Responsibilities of Commanding Officers.** On the death of a member of HM Forces or of a civilian serving or working with the Forces (excluding those specified in Clause 2 above), the Commanding Officer is to ensure that the necessary action is taken to effect registration. (*Navy only.*) Registration of any death in a ship registered under the Merchant Shipping Acts, for example a Royal Fleet Auxiliary, is the responsibility of the Master.

**J.6106. Local Registration of Births and Deaths outside the United Kingdom**

1. In addition to registration under the law of the United Kingdom local registration as required by the law of the country or colony must be complied with by Service personnel in respect of births and deaths occurring in their families. Commanding Officers are to ensure that the attention of all concerned is drawn to this requirement.

**6107. Record of Deaths and Births in Ship's Log**

1. (*Navy only.*) In addition to the reports on deaths required by Chapters 51 and 52, the Commanding Officer is to record particulars in the Ship's Log of any death or birth whatsoever occurring on board the ship or of the death of any officer or rating belonging to the ship while on detached service.

**6108–6120. Unallocated.**

## SECTION II - BANNS OF MARRIAGE IN HM SHIPS AT SEA

### 6121. Naval Marriages Act, 1908, and Marriage Act, 1949, Section 14 (1)

1. Under these Acts the duty of publishing the banns of marriage of officers and personnel borne on the books of Her Majesty's ships at sea devolves upon naval Chaplains and Commanding Officers, who are to be guided by the following instructions.
2. These provisions are not applicable to persons other than officers and personnel of the naval service borne on the books of Her Majesty's ships at sea. They do not apply to officers and personnel of the Army and Royal Air Force, although they may be borne on ships' books, nor to canteen staff except when entered on naval engagements in time of war.
3. Officers and ratings serving in shore establishments or in ships permanently stationed in harbour must make their own arrangements for the publishing of banns in the appropriate parish church. If, however, they wish to be married in a Service chapel licensed for marriages they may as an alternative apply for their banns to be published in such chapel.

### 6122. Application of Banns of Marriage

1. The publishing of banns of marriage under the Naval Marriages Act, 1908, and the Marriage Act, 1949, is applicable only to marriages to be solemnized in England or Wales and is subject to the following conditions. Where banns are inapplicable, the procedure is by 'Notice of Marriage', see Section III. These Acts do not extend to Scotland, and neither banns nor notice of marriage on board ship is appropriate in respect of a marriage in Scotland. See Section III, **6136. As the law in Northern Ireland has changed, it is no longer possible to marry by Banns in Northern Ireland, see para 6137.**
2. A marriage after publication of banns under Section 14 (1) of the Marriage Act, 1949, when it is to be solemnized in England or Wales, may only take place according to the rites of the Church of England or of the Church in Wales, and in one of the churches or chapels where the banns shall have been published and within three months of the completion of the publication of those banns.

### 6123. Request for Publication of Banns

1. An officer or rating who desire to have their banns published are required to complete and sign Form S.571, *Request for Publication of Banns*.
2. It is to be pointed out to the person requesting publication that it will be necessary in England or Wales for the banns to be published also in the church of the parish where their fiancé resides, or, provided he or she is qualified, in a naval, military, or air force chapel duly licensed under the Marriage Act, 1949, and situated in that parish. If the marriage is to take place in a church which is the usual place of worship of either of the parties, and which is not situated within the parish in which he or she resides, banns must be published in that church as well as in the church of the parish in which he or she resides; but for this purpose no church or chapel should be regarded as the usual place of worship of any person unless he or she is enrolled on the church electoral roll of the area in which it is situated.

#### 6124. Publication of Banns

1. The chaplain (or, if there is no chaplain, the Commanding Officer) is to enter particulars of the banns in Form S.572, *Banns of Marriage Book*.
2. The banns are to be published from the *Banns of Marriage Book* on three successive Sundays at morning service on board the ship.
3. After the third publication of the banns the chaplain (or Commanding Officer) is to record in the *Banns of Marriage Book* the dates when the banns were published and sign the entry.

#### 6125. Forbidding of Banns

1. Banns may be lawfully forbidden upon the following grounds:
  - a. That either of the parties to the intended marriage has a husband or wife living at the time.
  - b. That the parties to the intended marriage are related within the prohibited degrees of consanguinity or affinity.
  - c. That either party is under 16 years of age.
  - d. That either of the parties is an idiot or a lunatic.
2. If either of the parties is under 18 years of age, the banns may be forbidden by the person or persons whose consent would be required if the marriage was intended to be solemnized otherwise than after the publication of banns. In Northern Ireland, written consent on a prescribed form, or an order of a court dispensing with consent, is necessary for the marriage of any minor.

#### 6126. Certificate of the Publication of Banns

1. Unless the banns have been forbidden, the Certificate of Publication in the *Banns of Marriage Book* is to be completed and handed to the party at whose request the banns were published.
2. If the banns have been forbidden on any of the grounds on which banns may be forbidden, no certificate is to be given.

#### 6127. Disposal of Records

1. The Forms S.571, *Request for Publications of Banns of Marriage*, and Form S.572, *Banns of Marriage Book*, are to be forwarded by the Commanding Officer to the Ministry of Defence when the ship pays off.

#### 6128–6130. Unallocated

### SECTION III - NOTICE OF MARRIAGE IN HM SHIPS AT SEA

#### **6131. Naval Marriages Act, 1908, and Marriage Act, 1949, Section 39 and Marriage Act, 1983**

1. Under these Acts, Captains have to perform certain of the duties of Registrars of Marriages with regard to the receiving of notices of marriages which are intended to be contracted without the publication of banns, and the duty of giving certificates to enable such marriages to take place.
2. These provisions are not applicable to persons other than officers, sailors and marines borne on the books of Her Majesty's ships at sea, see Section II.

#### **6132. Application of Notice of Marriage**

1. The procedure of notice of marriage under the Naval Marriages Act, 1908, and the Marriage Act, 1949, is applicable only to marriages to be solemnized in England or Wales and under the following conditions:
  - a. When the applicant wishes to be married in England or Wales at any registered place of worship other than a church or chapel of the Church of England or of the Church in Wales, or before a Superintendent Registrar, or according to the usages of the Quakers or Jews.

#### **6133. Spare**

#### **6134. Notice of Marriage given to the Commanding Officer On Board HM Ships**

1. In addition to the provisions of S.14 (see **6121–6122**), a member of the clergy may at their discretion, allow a marriage according to Anglican rites under section 39 of the Marriage Act 1949. Under S.39, a marriage may be solemnized in England or Wales after notice given by an officer, sailor or marine to the Commanding Officer on board one of Her Majesty's ships at sea. The other party must give notice by certificate without licence to the superintendent registrar for the district of that party's residence but must not give such until the Commanding Officer on board ship has issued a certificate. The place of marriage must be stated in both notices and the marriage must take place where stated. It should be noted that authorities for marriage are not interchangeable. A clergyman should be satisfied that either:
  - a. Banns have been published in respect of both parties to the marriage (i.e. banns in a church or chapel in this country and banns by the chaplain, or Commanding Officer on board ship); or
  - b. Notice of marriage has been given in respect of both parties to the marriage (i.e. notice of marriage to a superintendent registrar in this country and notice of marriage to the Commanding Officer on board ship).

Under no circumstances must a marriage proceed on the authority of a certificate of publication of banns in respect of one party and a certificate after notice to a superintendent registrar or Commanding Officer in respect of the other party.



It should be noted that where preliminaries to marriage are contemplated on board HM ships in respect of a marriage in this country to a detained or housebound person at the place of their residence, notice should be given to the Commanding Officer since publication of banns does not constitute authority for such a marriage.

2. Persons giving notice of marriage are to be warned that they are liable to the penalties of perjury if they wilfully make any false declarations or sign any false notice of marriage.
3. It is to be pointed out to the person giving notice that it will be necessary for their fiancé:
  - a. In the case of a marriage in England or Wales, to give notice to the Superintendent Registrar of the district where he or she resides, but that this cannot be done until the Commanding Officer's certificate (see **6139**) has been issued; time must therefore be allowed after issue of the Commanding Officer's certificate for the fiancé to give it to the Superintendent Registrar at least 21 days before the intended date of the marriage.

### **6135. Publication of Notice**

1. Particulars of the notice of marriage are to be entered in the appropriate (England and Wales, or Northern Ireland) section of Form S.574, *Marriage Notice Book*, and the entry is to be signed by the applicant. *The Marriage Notice Book* is to be open at all reasonable times, without fee, to all persons applying to the Commanding Officer for facilities to inspect it.
2. On the same day as the entry is made in the *Marriage Notice Book*, a public notice of the marriage is to be exhibited in some conspicuous place in the ship. If the marriage is intended to be celebrated in England or Wales the public notice must be an exact copy of the original notice.
3. The public notice is to remain exhibited for 15 days.

### **6136. Marriages in Scotland**

1. All marriages in Scotland must be preceded by marriage preliminaries in Scotland, and there is no alternative procedure available to officers and personnel borne on the books of Her Majesty's ships at sea.
2. Each party to a marriage in Scotland must complete and submit a marriage notice to the Registrar of the registration district in which the marriage is to take place, preferably about four to six weeks before the date of the intended marriage. The minimum period of notice that must be given is 14 clear days ie the Registrar must receive both notices at least 15 days and no more than 3 months before the date of the proposed marriage. This procedure applies to all persons intending to marry in Scotland, whether or not they are residents in Scotland, and regardless of whether a religious marriage or a civil marriage is intended.
3. Marriage notice forms are obtainable from any local Registrar of Births, Deaths and Marriages in Scotland. Personal attendance for the purpose of giving notice is not essential, and provided the form is signed and dated by the person giving notice, the form may be delivered to the Registrar by a relative or friend, or may be submitted by post.



### 6137. Northern Ireland Marriages

1. All marriages in Northern Ireland must be preceded by marriage preliminaries in Northern Ireland, and there is no alternative procedure available to officers and personnel borne on the books of Her Majesty's ships at sea. The system of being married by Banns or Licences has been replaced by a simplified system of a marriage notice application form, but since this form needs to be accompanied by original documents early consultation with the person conducting the marriage is strongly recommended, especially if either of the couple could be deployed before the marriage.

### 6138. Objections to Marriage

1. At any time before the issue of a certificate the issue of the certificate may be 'forbidden' or 'objected to'.

2. Any person whose consent to the marriage of a minor is required by law may forbid the issue of a certificate for the marriage of the minor by writing the word 'Forbidden' opposite the entry of notice of marriage in the *Marriage Notice Book*, signing his or her name and signifying his or her place of abode and the character in respect of either of the parties by reason of which his or her consent is so required. Should any lawful impediment be alleged to exist to a marriage of which the Commanding Officer has received notice, he/she must decline to issue the certificate until he/she is satisfied that no sufficient evidence of such alleged impediment has been adduced.

3. If the objections do not set forth a legal impediment to marriage, but relate merely to some formality or statutory requirement, the Commanding Officer may direct the notice to be amended and a certificate granted thereon without re-publication of the notice if the Commanding officer shall see fit, or to be cancelled if the Commanding Officer shall see fit, in which case a fresh notice of marriage may be given.

4. If the objection is that the persons intending to contract marriage are within the forbidden degrees of consanguinity or affinity, or are both or either of them already married, or are both or either of them not of marriageable age, or are from any other legal incapacity disqualified to give such consent as is necessary for marriage, and generally where the objection sets forth any legal impediment to a marriage, the Commanding Officer must suspend the issuing of his certificate until there is produced to him a certified copy of a judgment of a competent court of law to the effect that the parties are not, in respect of the said objection, disqualified from contracting marriage.

### 6139. Certificate of Marriage

1. If the issue of the certificate has not been forbidden or objected to, the Commanding Officer must, after the expiration of the period of 15 days sign a certificate on the form below, and hand it to the person who gave the notice of marriage

a. S.573, Certificate for a Marriage in England or Wales.

### 6140. Disposal of Records

1. The original Form S.574, *Marriage Notice Book*, is to be forwarded by the Commanding Officer to the Ministry of Defence (CS (Records)) when the ship pays off.

## ANNEX 61A

## MARRIAGES OF SAME SEX COUPLES

1. The arrangements for the marriage of a same sex couple (MSSC) differ from that of an opposite sex couple in two key areas:
  - a. The registration of an armed forces chapel for same sex marriages;
  - b. The appointment of an authorised person to solemnise a same sex marriage;
  - c. If overseas, the government of the host nation must have previously confirmed that they have no objections to same sex marriages being conducted within their territory (see para 18).
2. **Registration of Chapels.** The Secretary of State has powers under section 5 of the Marriage (Same Sex Couples) Act 2013 to apply for chapels to be registered, and the Marriage of Same Sex Couples (Use of Armed Forces' Chapels) Regulations 2014 lay down the procedures relating to this function. At present St Barbara's Church, HMS EXCELLENT is the only chapel registered for MSSC due to the limitations of civil, military and canon law.
3. If a couple are considering applying for a MSSC in a military chapel then early advice should be sought from their unit chaplain who can introduce them to a chaplain authorized to conduct such a marriage. Utmost compassion must be provided to them if they find the restrictions contained in this chapter to be upsetting in order to preserve a working pastoral and spiritual relationship. It can be explained that these restrictions are beyond the control of the individual chaplain who must obey the law as it currently is.
4. Same sex couples wishing to marry should note that the procedures for appointing an authorised person, set out in more detail below, reflect the legal requirement that not only must the minister of religion be willing to be present, but the governing authorities of the relevant religious organisation must have "opted in" to MSSC and to have signified this in writing. At the time of publishing this guidance (Jan 18), only the United Reform Church and Baptist Union of Great Britain have signed to opt in to MSSC; none of the other denominations which provide Chaplains to the Armed Forces (the Sending Churches) have opted in to MSSC. To date, two Chaplains have been authorized to conduct MSSC at St.Barbara's Church, Whale Island.
5. The remainder of this guidance should therefore currently be read as applying only to the United Reform Church and Baptist Union of Great Britain. Future applications for armed forces chapels to be registered for MSSC should be sent by the COTF to the following nominated MOD office:

DCL-Legislation  
Defence Personnel Secretariat  
Zone 6K  
Main Building  
Whitehall  
London SW1A 2HB

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6. **Appointment of Authorised Persons.** Section 43B of the Marriage Act 1949 deals with the authorisation of persons to be present at marriages of same sex couples in an armed forces chapel in England and Wales which is registered for such marriages. The process for appointing an authorised person is essentially the same as that for opposite sex marriages, but is quite separate. It should not be assumed that a person authorised to solemnise an opposite sex marriage at a chapel, will be authorised for an MSSC.

7. It should be noted that under the terms of the Marriage (Same Sex Couples) Act 2013, clergy of the Church of England and the Church in Wales cannot lawfully solemnise the marriage of a same sex couple, and therefore cannot be authorised for that purpose.

8. **First Authorisation.** The Regulations governing the registration of armed forces chapels in England and Wales for MSSC, specify that the Secretary of State will make a decision on whether and when to apply for registration of a chapel, having due regard to a number of matters. Those matters include whether a person has agreed to be authorised under Section 43B, and “**whether the Secretary of State would so authorise that person**”.

9. This means that the Secretary of State will need to be satisfied – before he or she applies for the chapel to be registered – that the person whom the same sex couple wish to be present at their marriage is willing to be present and is, in his or her view, a suitable and appropriate person to be authorised. Couples should ask their unit chaplain for advice, if they need it, on the implications of these rules and the options open to them.

10. The Secretary of State will only authorise a person under Section 43B who:

- a. is ordained or accredited by a Sending Church which has given its written consent to the use of its rites for the marriage of same sex couples (ie it has “opted in”).
- b. has confirmed that he/she is personally willing to be authorised for this purpose, and is content to preside at or be present at a marriage of a same sex couple using only the rites of their Sending Church.

11. As noted above, authorisation of a person to be present at an MSSC is a separate procedure from authorisation to be present at the marriage of an opposite sex couple. Nevertheless, if the person who is already (or will be) authorised to be present at the marriage of opposite sex couples at that chapel, meets the criteria in para 10 above, the normal practice will be to authorise the same person for MSSC under Section 43B.

12. If the person who is authorised to be present at the marriage of opposite sex couples at that chapel does not meet both of the above criteria, the Secretary of State will consider a proposal to appoint another person who does meet the criteria, taking into account the following additional criteria:

- a. that he or she is a chaplain currently serving with the UK armed forces;
- b. that he or she has links to the local Service community;

A person who does not meet these criteria is unlikely to be authorised.

13. Immediately after the registration of an armed forces chapel for MSSC under Section 70A of the Marriage Act, an authorised person will be appointed under Section 43B to be present at the marriage (this will normally be the person identified in the same sex couple's application as willing to be authorised).

14. **Exceptional Arrangements.** The previous section outlined how an authorised person would be appointed. Once that appointment is made, it remains possible for a couple to apply to be married by someone other than the authorised person for that chapel. This will not necessarily be agreed; paras 10-14 of the main guidance set out the procedures to be followed. However in the case of MSSC, certain additional factors may apply.

15. An example is where the couple's proposal means that the marriage would take place according to the rites of a denomination, other than that of the authorised person (ie not just a different minister of the same denomination). In such cases, as well as their normal consideration of the suitability of the person nominated, the Head of Chaplaincy will need to satisfy themselves that the relevant religious organisation is a Sending Church which has given its consent to its rites being used for MSSC.

16. **Subsequent Authorisation.** An authorisation to be present at the marriage of a same sex couple is personal. Where a chaplain who has been authorised under Section 43B, in accordance with the previous section, leaves his or her post (or otherwise ceases to have the connection on which that authorisation is based), the authorisation will be withdrawn. His or her successor in post will not automatically be authorised under Section 43B simply by virtue of his/her appointment.

17. Should a same sex couple wish to marry in an armed forces chapel registered for MSSC, once the chaplain authorised at the time of registration is no longer so authorised, the relevant Head of Chaplaincy will consider the options for appointing a suitable chaplain under Section 43B:

- a. if the incumbent chaplain meets both criteria in para 10 above, then he or she will be recommended to be authorised under Section 43B;
- b. if the incumbent chaplain does not meet both criteria, or a chaplain has not been appointed, the relevant Head of Chaplaincy will seek to make alternative arrangements to enable the marriage to proceed, drawing on the criteria set out earlier in these guidelines.

18. **Overseas.** A same sex couple seeking to marry at an overseas Service location should first approach their Commanding Officer for confirmation that the government of the host nation has given the Secretary of State for Defence written confirmation that they have no objection to same sex marriages being conducted in their territory. Without such confirmation, it is very unlikely that a marriage between a same sex couple will be able to be arranged at that location.

**CHAPTER 62****INTERNATIONAL HEALTH REGULATIONS, QUARANTINE AND ANIMALS**

(MOD Sponsor: NAVY MED-EH POL SO2)

This chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

**SECTION I – INTERNATIONAL HEALTH REGULATIONS****Para**

- 6201. International Health Regulations
- 6202. Signals
- 6203. Pratique
- 6204. Documents
- 6205. Importation of Animals and Birds into Great Britain and Northern Ireland
- 6206. Importation/Exportation of species subject to CITES Control
- 6207. Ship Sanitation Exemption/Control Certificates

**SECTION II - SERVICE AND DOMESTIC ANIMALS**

- J.6211. Service Animals
- J.6212. Domestic Animals

## CHAPTER 62

### INTERNATIONAL HEALTH REGULATIONS

#### SECTION I – INTERNATIONAL HEALTH REGULATIONS

##### **6201. International Health Regulations**

1. Vessels arriving at ports abroad or arriving at a home port from abroad are to comply with the International Health Regulations 2005 (IHR05).
2. At all ports abroad, all local health regulations are to be strictly observed. In case of doubt, every effort is to be made to contact the local health authority before arrival in port.
3. Every facility is to be afforded to the local health authorities in the performance of their duties under the IHR05.

##### **6202. Signals**

1. The signals to be used by vessels arriving in port are given in the International Code of Signals. If required by the port health authority the appropriate medical signal is to be hoisted and kept flying approval as indicated.

##### **6203. Pratique**

1. In most ports 'free pratique' will be granted automatically to visiting warships, this is especially true when visiting foreign naval ports. If not granted automatically vessels are to use the logistic requirements message or signals (as per 6202) to declare the state of health on board, covering medical incidences since the last port of call, and requesting pratique.

##### **6204. Documents**

1. Under the IHR05, Maritime Declarations of Health are to be used, when requested by the port health authority, to confirm the state of health on board. These are to conform to the model specified at Annex 8 of the regulations (a copy is available in BRd 9467 Chapter 8). The declarations are to be signed by the Commanding Officer and countersigned by the Medical Officer if embarked.

##### **6205. Importation of Animals and Birds into Great Britain and Northern Ireland**

1. The importation of animals into the UK from non-EU countries is governed by the Rabies (Importation of Dogs, Cats and other Mammals) Order 1974, as amended. Certain domestic animals can be imported under the 'Pet Passport' scheme from EU countries but due to the nature of Royal Navy operations all warm-blooded mammals subject to the Rabies Order are prohibited from HM ships and submarines and Royal Fleet Auxiliary ships, with the exception of Military Working Dogs.

## **6206. Importation/Exportation of species subject to CITES Control**

1. The Convention on International Trade in Endangered Species (CITES) controls the import and export of over 2,500 animal and 25,000 plant species. This includes products made from the remains of species on the current list, such as souvenirs procured whilst on port visits. If in doubt over the legal standing of an item the Animal and Plant Health Agency CITES (Endangered species) team should be contacted on 03000 200 301 or e-mail: [wildlife.licensing@apha.gsi.gov.uk](mailto:wildlife.licensing@apha.gsi.gov.uk)

## **6207. Ship Sanitation Exemption/Control Certificates**

1. It is a legal requirement that all vessels embarking on an international voyage are to hold a Ship Sanitation Control Exemption Certificate or a Ship Sanitation Control Certificate in accordance with the IHR05. Once issued these certificates are valid for a maximum period of six months.

2. Due to the time required to prepare for and complete a Ship Sanitation Inspection (SSI), vessels are to contact their base port Area Environmental Health Team (in accordance with the procedures in BRd 9467 Chapter 19) as soon as their deployment is confirmed to programme the inspection. The inspection will then take place ideally no more than 2 weeks before departure and before the main embarkation of food stores.

3. Vessels are required to provide feedback to the inspection team within 4 weeks of the date of the inspection report, notifying them of actions taken or in progress to address any deficiencies.

4. Vessels requiring certification whilst deployed are to liaise with SO2 EH Pol , NCHQ Medical Division. Where possible the inspection will be conducted by a RN Environmental Health Officer. Otherwise ships should identify a suitable authorised port *via* the World Health Organisation website at <http://www.who.int/ihr/travel/portslanding/en/index.html> and then use the logistic requirements message to request a SSI. The vessel will be responsible for the payment of any local fees that may be levied.

5. Copies of certificates issued from other UK or Foreign Ports together with details of the costs incurred are to be sent to NAVY MED-EH POL SO2 for verification.

## **6208-6210. Unallocated**

## **SECTION II - SERVICE AND DOMESTIC ANIMALS**

### **J.6211. Service Animals**

1. The Royal Navy no longer hold animals on charge. If this situation changes Commanding Officers of units and establishments affected are to ensure that they comply with all relevant Director Army Veterinary and Remount Services (DAVRS) policies.

### **J.6212. Domestic Animals**

1. The title domestic animals include those that are kept in Royal Navy establishments for the use of service personnel, for example horses, but are not under the charge of the Commanding Officer.

2. To ensure compliance with the Animal Welfare Act 2006 Commanding Officers are to issue such orders as are necessary to ensure that animals which are kept within establishments are properly maintained and controlled so that they are neither a nuisance, nor a hazard to health and do not bring the Service into disrepute. These orders are to be compatible with local bylaws and regulations and should make it clear in what circumstances the prior permission of the Commanding Officer will be required and should also define any conditions which will automatically be attached to permits issued on their authority.

3. When an entire unit or establishment is required to move location, Commanding Officers are to ensure that all local rules and regulations covering the movement of animals, including internationally, are complied with, readily available and brought to the notice of service personnel and their families.

4. Owners of animals are individually responsible whenever they move for informing themselves of the current laws, rules and regulations, whether in the United Kingdom or abroad, concerning the import and export of animals.

### **J.6213-6217. Unallocated**



**CHAPTER 63****HM REVENUE AND CUSTOMS**

*(MOD Sponsor: ACOS.Spt)*

This chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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- 6301. Customs Regulations
- 6302. Assistance to Customs Officers
- 6303. Trafficking in, Unshipping and Landing of Dutiable, Restricted and Prohibited Goods
- 6304. Coveyance of Packages
- 6305. Arrival from a Foreign Port
- 6306. Aircraft
- 6307. Examination for Suspected Prohibited or Uncustomed Goods
- 6308. Postal Arrangements
- 6309. Gangway Wine Book
- 6310. Detailed Regulations

## CHAPTER 63

### CUSTOMS

#### 6301. Customs Regulations

1. **Declaration.** All dutiable, taxable, prohibited or restricted articles must be declared (and if requested produced) to the Customs officers, and must be shipped, unshipped or landed only in accordance with arrangements promulgated in this chapter or in BRd 1990, *HM Revenue and Customs for the Royal Navy*. The rates of duty and Value Added Tax on articles commonly imported and a list of prohibited or restricted articles are given in BRd 1990.
2. **Compliance with Regulations.** Officers and ratings are to bear in mind that the concessions allowed to the Royal Navy are considerable and that attempts to evade the regulations may not only expose the actual offender to serious penalties but may also endanger the continuance of the concessions generally.
3. **Smuggling and Trafficking.** Smuggling and trafficking in dutiable goods are serious offences against Naval discipline. Any officer or rating who deliberately or through negligence infringes the Customs regulations, whether by smuggling or attempting to smuggle dutiable goods, or by evading or attempting to evade such regulations in any other way, or who makes any statement which they know to be false or does not believe to be true, to a Customs Officer acting in pursuance of his/her duty, may be brought to trial under the Armed Forces Act 2006 or may be prosecuted in the civil courts by the Customs authorities. The Commanding Officer is to investigate without delay any suspected breach of Customs and if in his/her opinion there is evidence that an offence has been committed he/she is to submit a report to his/her Higher Authority and seek advice on any proposed disciplinary or administrative action.
5. **Programme Waterguard.** Her Majesty's Revenue and Customs (HMRC) requires that all military equipment and stores crossing international borders are treated as imports/exports, are documented as such and where necessary taxes are paid. DG Fin has directed that tax bills resulting from non-compliance will be passed on to the relevant Front Line Command.

In order to avoid the imposition of penalties by HMRC, units are to ensure that import/export declarations are completed for all international movement, including exercise and operational consignments, and there is appropriate use of consignment tracking measures.

### **6302. Assistance to Customs Officers**

1. Under the law a Customs Officer has the right to go aboard Her Majesty's Ships and search every part for prohibited and uncustomed goods. Commanding Officers are to render every assistance to the Customs Officers in carrying out such searches. Customs and Excise officers will exercise their right of search with discretion, and will carry out a detailed and exhaustive search on receiving information which would make such a course desirable.
2. On arrival on board, the Customs Officers will report to the Officer of the Day who is to detail a member of the Service Police, (or a petty officer if no Service Police are available) to accompany the Customs Officers while their search is in progress. On completion of their examination, the Customs Officers, accompanied by the Service Police detailed above, will see the Officer of the Day before leaving the ship and provide him/her with particulars of any irregularity discovered.

### **6303. Trafficking in, Unshipping and Landing of Dutiable, Restricted and Prohibited Goods**

1. Instructions governing trafficking in dutiable goods and the unshipping and landing of such goods from Her Majesty's ships, including shore establishments in the United Kingdom, are given in BRd 1990.

### **6304. Coveyance of Packages**

1. Packages are not to be received on board any of Her Majesty's ships for conveyance without the knowledge and approval of the Commanding Officer and unless they are properly entered on a Wine Book and Spirit Book which should be presented with the packages.
2. Such packages will normally be offered for shipment by responsible dockyard officers and will consist of Service stores or unaccompanied private effects of naval, military and air force officers and government officials. Shipment of merchandise on behalf of individuals, private firms or contractors, without prior Ministry of Defence approval, is forbidden.
3. The instructions concerning indulgence shipments are shown in JSP 800 Defence Movements and Transport Regulations Volume 2.
4. If not intended to be cleared with baggage on arrival, the marks and stated contents, with the names and addresses of the shippers and consignees, are to be entered in the Parcels Book which is to be initialled by the Commanding Officer at each port of shipment, and is to be produced, if required, to the Officer of Customs at the port of delivery.

## **BRd 2**

5. Unless previously cleared on board by HM Customs, all packages and parcels must be landed within 48 hours of the ship's arrival in harbour and removed to the Customs Baggage Warehouse or to the storehouse of the Ministry of Defence officer arranging discharge of the ship, to await authority of HM Customs for delivery.

### **6305. Arrival from a Foreign Port**

1. **Returns.** On arrival from a foreign port (including the Irish Republic) or from the Channel Islands, the Commanding Officer is to make returns to the Collector of Customs in accordance with BRd 1990 before any goods which have been shipped are taken out of the ship.

2. The Commanding Officer should ensure these returns are completed so that they are available as soon as the ship arrives at the first port of call in the United Kingdom. They are to be given to the Customs officer upon request.

3. Wine Book and Spirit Book should contain particulars of all stores, equipment, privately-owned motor vehicles, unaccompanied baggage shipped as general cargo and of miscellaneous small packages). Where a considerable amount of cargo is carried as freight it may be more convenient to attach a copy of the Bill of Lading (or of the cargo manifest) Each page of the account should be numbered consecutively and a covering certificate

4. **Civilian Passengers.** Any civilian passengers embarked in ports outside Great Britain or Northern Ireland must be examined by the immigration authorities on landing in Great Britain or Northern Ireland, and must comply with the usual formalities at the port of disembarkation. Should the immigration authorities not be easily available, the presence of such passengers should be reported to an officer of HM Revenue & Customs.

5. **Sailing Yachts in RN Service.** Customs and Immigration regulations apply to sailing yachts allocated for Naval Service, and returns must be submitted in accordance with BRd 1990. Whenever possible the Customs authority must be notified beforehand of their arrival from any foreign port (including the Irish Republic) or from the Channel Islands. If prior notification is not possible their arrival is to be made known to the local Customs authorities.

### **6306. Aircraft**

1. Any of HM Ships which intend to fly aircraft off before arrival, must ensure personnel are cleared onboard prior to departure. Detailed instructions are given in BRd 1990, HM Revenue and Customs for the Royal Navy.

### **6307. Examination for Suspected Prohibited or Uncustomed Goods**

1. If a Customs Officer requests that a Service package be examined for prohibited or uncustomed goods at the port of landing, the package need not be examined there but it is to be taped and sealed by the Customs Officer and it will then go forward to its destination. The Customs Officer will advise the Customs Officer at the place to which the package is addressed that it is being forwarded, and the Naval authorities will advise the consignee that it is only to be opened in the presence of the Customs Officer, and should nothing wrong be found it will be at once delivered out of Customs charge.

The procedure, which is an exception to the general rule that Customs Officers have the right to examine all packages, etc., landed from ships, is solely to avoid delay in transit and only applies to Service packages. Private parcels are liable to be examined at any time.

**6308. Postal Arrangements**

1. See BRd 1990 Art 0109 and JSP 367 for postal arrangements.

**6309. Gangway Wine Book**

1. All wines, spirits, beer and tobacco (including cigars and cigarettes), are to be entered in the Gangway Wine Book and Spirit Book when received on board and also if disembarked. The book is to be kept by the Service Police and signed by him/her weekly. The XO/LO is to inspect and sign the book monthly. The book is to be produced, on request, to the officers of Customs. The date of return of shipping bills is also to be noted in the Gangway Wine and Spirits Book in red ink against the entry in question, and the XO/LO is to be informed of any shipping bills outstanding. See *also* BRd 1990.
2. A Gangway Wine Book need not be kept in ships and establishments which are not entitled to the privilege of duty-free mess and canteen stores.
3. On paying off, the Gangway Wine Book is to be disposed of in accordance with BRd 1990, Chapter 3.

**6310. Detailed Regulations**

1. Further details on regulations can be found in BRd 1990, *HM Revenue and Customs for the Royal Navy*, and on the HMR&C Website. <http://www.hmrc.gov.uk/index.htm>

## CHAPTER 64

### SPARE

**CHAPTER 65****WORKING WITH CHILDREN AND VULNERABLE PERSONS**

(MOD Sponsor: NAVY SEC-2 DISCIPLINE)

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

**CONTENTS****Para**

- 6501. The law
- 6502. Where to find the tri-Service policy
- 6503. Where to find guidance on the Naval Service process for compliance

**CHAPTER 65****WORKING WITH CHILDREN AND VULNERABLE PERSONS****6501. The Law**

1. There are a number of laws that govern the use of criminal record disclosures for safeguarding purposes. These laws define the behaviours that can lead to being barred from working or volunteering with vulnerable groups, set boundaries for the disclosure of sensitive personal data to aid safer recruitment decisions and oblige employers to make referrals to disclosure bodies when an individual has caused harm or is believed to pose a risk of harm to vulnerable groups. Where a position meets the relevant criteria for disclosure the law either obliges or enables the employer privileged access to criminal record data which is otherwise protected by the Data Protection Act 2018 and/or the Rehabilitation of Offenders Act 1974. Where the relevant criteria is not met it would be unlawful to attempt to obtain a criminal record disclosure. Position competence markers should therefore be regularly reviewed to ensure that disclosure requests can be justified to remain within the law and avoid potential for Service Complaints.

2. The Safeguarding Vulnerable Groups Act (SVGA) 2006, as amended by the Protection of Freedoms Act 2012 applies to activities in England and Wales. It defines the system for barring unsuitable individuals and describes those Regulated Activities that it is unlawful to recruit to without first establishing whether the applicant was on the respective barred list (i.e. Child Workforce and/or Adult Workforce). In 2012 the organization responsible for the disclosure of relevant data changed from the Criminal Record Bureau (CRB) to the Disclosure and Barring Service (DBS). It should be noted that the SVGA does not mandate that checks are carried out on those who instruct under 18s as this work does not qualify as Regulated Activity given that it is provided to the child 'in the course of their employment'. The MOD's option to conduct checks on those who instruct under 18s comes from Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975. This is not a blanket option and care must still be exercised to ensure that there is justification for disclosure in each case.

3. The Protection of Vulnerable Groups (Scotland) Act 2007 broadly performs the same role for Scotland as the SVGA does in England and Wales, in that it defines a barring system and the types of employment that are eligible for criminal record checks by employers and voluntary organisations for informed recruitment decisions. The organization responsible for the disclosure of relevant data is known as Disclosure Scotland and separate Scottish barred lists are maintained. For this reason there can be no portability of clearances between borders. Another key difference for the MOD is that there is no exception for checks on those staff instructing under 18s in the course of the child's employment, making it unlawful to attempt to obtain a disclosure for any Phase 1 or 2 instructors working in Scotland. Neither would it be acceptable to attempt to obtain a criminal record disclosure via the DBS for work carried out in Scotland.

4. The Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 applies to work with vulnerable groups in Northern Ireland. Their disclosure organization is known as Access NI, which taps into the system operated by the DBS.



**6502. Where to find the Tri-Service Policy**

1. The policy for achieving compliance with the legislation is set out primarily in : JSP 893 'Policy on Safeguarding Vulnerable Groups' and also has some coverage in: JSP 834 'Safeguarding Children'

**6503. Where to find Guidance on the Naval Service Process for Compliance**

1. The Naval Service detailed guidance on the process, roles and responsibilities of those involved with obtaining criminal record checks can be found in : BRd3 'Naval Personnel Management' Chapter 60 Section 7.

**CHAPTER 66****POLITICAL ACTIVITIES, PARLIAMENTARY CANDIDATURE**

(MOD Sponsor: NAVY COMMAND SECRETARIAT/DCDS PERS SCW-SERV COND)

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

**CONTENTS****Para**

- J.6601. General
- J.6602. Political Activities in Service Establishments
- J.6603. Service Facilities and Speakers
- J.6604. Parliamentary Candidature
- J.6605. Candidates in Local Government Elections
- J.6606. Trade Unions

## CHAPTER 66

### POLITICAL ACTIVITIES, PARLIAMENTARY CANDIDATURE

#### J.6601. General

1. Regular personnel are not to take an active part in the affairs of any political organisation, party or movement. They are not to participate in political marches or demonstrations.
2. No restriction is to be placed upon attendance at political meetings of such personnel provided uniform is not worn, Service duties are not impeded and no action is taken which could bring the Service into disrepute.

#### J.6602. Political Activities in Service Establishments

1. All forms of political activity, including political meetings and speeches, are prohibited in Service establishments. Canvassers may visit, and motor cars used for carrying electors to the poll may call at, married quarters and families' hostels to which there is normal access direct from the public highway. Where access is by Service roads and there is no separate entrance, access to married quarters will be at the discretion of the Commanding Officer under such conditions as he/she may approve. If allowing access, Commanding Officers will need to ensure equal treatment is given to all political parties. Information about party programmes or policies is not to be made available through Service journals or information rooms; nor is any propaganda issued by or on behalf of a political party to be distributed in Service institutions. No publicity is to be given in Service establishments to meetings, fetes, or similar activities having a political association.

#### J.6603. Service Facilities and Speakers

1. No Service facilities, including Service aircraft and motor transport, are to be used at, or in connection with, any function the purpose of which is to further the interests of a political party or an organization having controversial aims, nor are Service bands to play at such functions. Where requests are received from political groups for Service speakers to lecture or give a presentation, these should be referred for action to the Secretariat (via NAVY SEC-PQS MAILBOX) who will reply direct to the group; if there is uncertainty about the nature of any organization, the Secretariat should be consulted.

#### J.6604. Parliamentary Candidature

1. Attention is called to Defence Council Instruction – [Parliamentary Candidature \(DIN2015DIN01-031\)](#) which contains regulations for members of the Armed Forces who desire to stand as a candidate or who seek election to Parliament or other legislative assemblies.

2. Any person to whom the Defence Council Instruction – Parliamentary Candidature applies must make application through normal Service channels to retire voluntarily or to resign or to be granted a free discharge. In their own interests they should make application as early as possible. Approval of an application will depend on the exigencies of the Service. An unsuccessful candidate will have no right to reinstatement. A candidate or prospective candidate must take all steps within their power to ensure that no public announcement of their candidature or prospective candidature is made before they have retired or resigned or been discharged.

#### **J.6605. Candidates in Local Government Elections**

1. Serving personnel may not accept membership of any local authority, or allow themselves to be nominated for election to any such body, without the permission of the Ministry of Defence.

2. A member of the Armed Forces who is recalled for service while they are a member of a local authority is to report such membership to their Commanding Officer.

3. Serving personnel who are permitted by MOD to be nominated for election to any local authority may only stand as independent candidates, they are not to stand as candidates for any political organisation, party or movement, and, if elected, are not to involve themselves in any way in the affairs of any such organisation, party or movement.

#### **J.6606. Trade Unions**

1. Regular Service personnel may become members of civilian trade unions and professional associations in order to enhance their trade skills and professional knowledge and as an aid to resettlement into civilian life. They are not to participate in industrial action or in any form of political activity organised by civilian trade unions or professional associations.

2. No restriction is to be placed upon the attendance at meetings of civilian trade unions or professional associations or at courses of instruction run by such organisations where attendance at such a meeting or course is intended to enhance trade skills or knowledge. Attendance at such meetings and courses is to be subject to the proviso that uniform is not to be worn, Service duties are not impeded, and no action is taken which would bring the Service into disrepute.

3. **Service Facilities and Speakers.** No Service facilities, including Service aircraft and motor transport, are to be used at, or in connection with, any function the purpose of which is to further the interests of a trade union or professional association, nor are Service bands to play at such functions. Where requests are received from either of these groups for Service speakers to lecture or give a presentation, these should be referred for action to the Secretariat who will reply direct to the group. If there is uncertainty about the nature of any organisation, the Ministry of Defence should also be consulted.

**J. ANNEX 66A****SERVANTS OF THE CROWN (PARLIAMENTARY CANDIDATURE) ORDER, 1960**

AT THE COURT AT BUCKINGHAM PALACE

The 11th day of May, 1960

Present,

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL

Whereas by the Servants of the Crown (Parliamentary Candidature) Order, 1950, provision was made for regulating the right of servants of the Crown to become candidates at Parliamentary elections;

And whereas it appears expedient to Her Majesty, on representation made to Her by the Treasury, the Secretary of State for Foreign Affairs, the Admiralty, the Army Council and the Air Council, to make further provision in relation to the matter aforesaid:

Now, therefore, Her Majesty is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:-

1.

(1) Subject to the provisions of paragraph (2) of this Article, this Order shall apply to any person who for the time being is employed in the civil service of the Crown, whether in an established capacity or not and whether for the whole or part of his time, or is a member of any of the regular armed forces of the Crown or an officer of the Territorial Army in receipt of a consolidated allowance under the Regulations for the Territorial Army.

(2) This Order shall not apply to:

(a) A person, being an officer on the retired or emergency list of any of the regular armed forces of the Crown, or holding an emergency commission in any of those forces, or belonging to any reserve of officers of any of those forces, by reason of his being a member of those forces;

(b) A naval, army, marine or air force pensioner, who is recalled for service for which he is liable as such, by reason of his being a member of the regular armed forces of the Crown;

(c) An Admiral of the Fleet, a Field Marshal or a Marshal of the Royal Air Force, if he does not for the time being hold an appointment in the naval, military, air or civil service of the Crown;

(d) A person who is a member of the Royal Observer Corps, by reason of his being such a member, unless he is employed as such for the whole of his time;

(e) A person employed in an industrial grade or in such a grade as may from time to time be certified by the Department concerned with the approval of the Treasury to be an industrial grade for the purposes of this Order;

## BRd 2

(f) A person employed in such a grade as may from time to time be certified by the Department concerned with the approval of the Treasury to be a minor and manipulative grade for the purposes of this Order, not being a person employed in a constabulary under the control of the Admiralty, Army Council or Air Council.

2. Subject to the provisions of Article 3 hereof, no person to whom this Order applies shall issue an address to electors or in any other manner publicly announce himself or allow himself to be publicly announced as a candidate or prospective candidate for election to Parliament for any constituency.

3. A person who is, by virtue of the National Service Act, 1948, serving for a term of whole-time service in the Royal Navy, the Royal Marines, the Army or the Royal Air Force, may publicly announce himself or allow himself to be publicly announced as a candidate or prospective candidate for election to Parliament for any constituency, but shall not, while so serving, issue an address to electors or in any other way actively participate in any political activities.

4. In this Order the following expressions have the meanings hereby respectively assigned to them:

‘Civil Service of the Crown’ includes Her Majesty’s Foreign Service;

‘Regular Armed Forces of the Crown’ means the Royal Navy, the regular forces as defined by Section 225 of the Army Act, 1955, the regular Air Force as defined by Section 223 of the Air Force Act, 1955, the Women’s Royal Naval Service, Queen Alexandra’s Royal Naval Nursing Service and Voluntary Aid Detachments serving with the Royal Navy.

5.

(1) This Order applies to women as it applies to men.

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

6.

(1) This Order may be cited as the Servants of the Crown (Parliamentary Candidature) Order, 1960.

(2) The Servants of the Crown (Parliamentary Candidature) Order, 1950, is hereby revoked.

*W.G.Agmew.*

**CHAPTER 67****ELECTORAL REGISTRATION**

(MOD Sponsor: People-Sec-DCL Discipline Pol/Navy Legal–Complaints Cwk D3)

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

**CONTENTS****Para**

- J.6701. Electoral Registration of Members of the Armed Forces and their Spouses
- J.6702. Registration Options
- J.6703. Unit Procedures

**J.CHAPTER 67****ELECTORAL REGISTRATION****J6701. Electoral Registration of Members of the Armed Forces and their Spouses**

1. MOD policy is to encourage personnel, their spouses or civil partners to register so that they can vote in all relevant elections. Registration is however a personal matter; Service personnel are free to decide where and how they register to vote.

2. The MOD works closely with the Electoral Commission and aims to ensure that all Service personnel are aware of the importance of registering to vote. A DIN is published annually in support of the MOD's annual electoral registration campaign which lists the planned elections for the forthcoming year and provides more detailed guidance on registering to vote. Service personnel are advised to read this annual DIN in conjunction with this Chapter.

**J6702. Registration Options**

1. For regular Service personnel there are three options for registering to vote. The options are:

a. **Service Voter.** All full time Service personnel, their spouses or civil partners have the option to register as Service Voter. When registering this way, the Service Voter's qualifying address can be where they are resident in the UK (including Service Families or Single living Accommodation (SFA/SLA)), Alternatively, if personnel can establish residency at more than one address in the UK, for example if they are living in SFA/SLA in one area but have their main family home in another area, they could give the address of their main family home. If personnel are serving overseas they can register at an address where they would have been living in the UK were it not for their Service obligations. This might be an address where they live when their unit is in the UK or where they have previously lived. This option is particularly suitable for those posted overseas or likely to be posted elsewhere in the near future. Unlike other types of registration, this option is valid for five years. Personnel must, however, inform their local Electoral Registration Officer if the address to which voting/ballot papers are sent to has changed.

b. **Ordinary Voter.** Service personnel also have the option to register in the same way as ordinary voters. If they are living at a permanent address in the UK, either at a private or qualifying address (i.e. SFA or SLA) a Service person and/or spouse/civil partner can choose to register as an ordinary voter. This option may be suitable if personnel are based in the UK and are unlikely to change address or be posted overseas in the next year.

c. **Overseas Voter.** Those Service personnel and their spouses/civil partners who are posted abroad and do not wish to register as Service Voters can register as Overseas Voters. This is a facility available to all British Citizens who currently live abroad, but have been registered as voters in Britain within the last 15 years. The disadvantage of this option is that Overseas Voters can only vote in UK Parliamentary and European Parliamentary elections, not local elections in the UK.



It is important to note that the ability to register as an Overseas voter expires 15 years after the time of last registration in the UK.

2. Service dependents other than a spouse or civil partner are not eligible to make a Service declaration and can only register as Ordinary Voters, or Overseas Voters.

3. Once registered to vote, Service personnel and their spouses or civil partners may cast their vote in one of the three following ways:

a. **In Person.** At a polling station if personnel are in the area where they are registered to vote on the date of the election.

b. **By Post.** A ballot paper will be sent to the nominated address before the date of the election and, providing it is completed correctly and returned in time, the vote will be counted. Depending on where personnel are serving there is a risk that they will not be able to return their ballot before voting closes due to the time taken to deliver and return a postal ballot paper. Postal ballot papers could be dispatched as early as 19 working days before an election and Local Authorities are advised by the Electoral Commission that they should prioritise the dispatch of postal ballot papers to overseas and BFPO locations. However, notwithstanding this, voting by post may not be the best way to vote where personnel are or are likely to be overseas or deployed on the date of the election. If personnel are serving in locations where it is unlikely that they will be able to receive and return their postal ballot paper in time for it to be counted, they are advised to appoint a proxy.

c. **By Proxy.** This is where personnel ask someone they know and trust to vote on their behalf. A proxy can vote on behalf of another person either at a polling station or by post. A proxy must be aged 18 or over and must be a British, Irish or Commonwealth citizen or a citizen of another European Union state. If personnel have appointed a proxy, they can still vote in person as long as their proxy has not already voted for them or applied to vote for them by post.

4. **Reservists.** Reservists (other than those mobilized on full pay) are not eligible for registration as Service Voters under the foregoing arrangements.

5. When they are eligible, reservists can be registered as ordinary voters for their home addresses and will be entitled to apply to be absent voters ( i.e. to vote by post or by appointing a proxy) if at any particular election they are likely to be prevented from casting a vote in person owing to their service as reservists, e.g. if they are absent from home on training.

#### **J.6703. Unit Procedures**

1. All ships, regular units and stations are to give Service personnel and their families every assistance to register as voters. Commanding Officers are to appoint an officer(s) to be responsible for providing advice to serving personnel and their families on Service voting issues. Unit Registration Officers should act as a focal point within their unit to ensure that everything possible is done to encourage Service personnel and their families to register to vote. The responsibilities of Unit registration Officers are:

## **BRd 2**

- a. To encourage Service personnel and their families by all appropriate means to register to vote in Parliamentary, European Parliamentary and Local Government elections.
  - b. To promulgate information on a regular basis (at least 6 monthly) within units on how to register to vote.
  - c. To act as a focal point within units in response to initiatives from the Electoral Commission and civilian Electoral Registration Officers to encourage Service personnel and their families to register to vote.
  - d. To ensure that all new entrants to the Armed Forces are made aware of the procedures and options for registering to vote and voting.
2. Electoral Registration Officers from local civil authorities (i.e. Councils etc) are able to provide additional information including specific details for registration within their areas. Lists of Electoral Registration Officers can be found on the Internet as follows: [www.aboutmyvote.co.uk](http://www.aboutmyvote.co.uk)

## CHAPTER 68

### ACTIVITIES INVOLVING THE USE OF OFFICIAL INFORMATION OR EXPERIENCE

*(MOD Sponsor: DDC)*

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## CHAPTER 68

## ACTIVITIES INVOLVING THE USE OF OFFICIAL INFORMATION OR EXPERIENCE

**J6801. Purpose**

1. Service personnel must follow particular arrangements if they wish to have contact with, or exposure to, the media or write or speak in public on Defence or related matters. These procedures have been put in place to ensure that national, operational and personal security is upheld, and that standards of political impartiality and public accountability are met at all times.

**J6802. Introduction**

1. Within the obvious security constraints, the MOD and the Armed Forces operate a policy of openness about their activities. It is important that the Armed Forces and MOD are able to explain their roles and Government policies and decisions relating to Defence. The MOD must also comply with relevant legislation, such as the Freedom of Information Act 2000. All members of the Armed Forces are encouraged to engage with the public about what they do. However, such contact must be properly authorised to ensure that it is appropriate and worthwhile, as well as to protect individuals against possible misreporting. Members of the Armed Forces must exercise honesty in all their engagements and should not undertake any activity which might call into question their political impartiality or Service or Departmental reputation.

2. All contact with the media or communication in public by members of the Armed Forces must be authorised in advance, where this relates to an individual's official business or experience or is otherwise related to Defence. This applies to all public speaking, writing or other communication, via any channel, including the internet and other online sharing technologies, on issues relating to an individual's official business or experience or otherwise related to Defence. Unauthorised disclosure or leaking of information causes damage to the Department and the single Services and corrodes the trust between Ministers, the Armed Forces and the Civil Service. Engaging in such activities without obtaining relevant authorisation at the appropriate level as detailed in these regulations is likely to result in administrative or disciplinary action being taken. It could be regarded as a serious disciplinary breach and in the most serious cases this could ultimately lead to an individual being removed from post, dismissed or discharged. Also, individuals who do not act to prevent breaches by others could be subject to disciplinary measures. DDC staff are the Department's professional advisers on wider communication and engagement with the public.

3. **Contact with the Media and Communicating in Public.** For contact with the media and communicating in public, refer to DIN:–[DIN 2020DIN03-005: Contact with the Media and Communicating in Public](#) which contains the relevant instruction on this subject.

**CHAPTER 69****PARLIAMENTARY ENQUIRIES AND CORRESPONDENCE**

*(MOD Sponsor: NAVY COMMAND Policy Secretariat)*

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

**CONTENTS****Para**

- J.6901. Enquiries from Members of Parliament
- J.6902. Visits by Members of Parliament to Service personnel in Close Arrest

## CHAPTER 69

### PARLIAMENTARY ENQUIRIES AND CORRESPONDENCE

#### **J.6901. Enquiries from Members of Parliament**

1. Communications on official matters from Members of Parliament or from persons who state that they are prospective Parliamentary candidates must be acknowledged and the writer informed that the matter is being referred to the Ministry of Defence for consideration and reply. The letter, or a full account of a conversation if applicable, together with a detailed report, is to be forwarded without delay to Navy Command Policy Secretariat who will forward to the appropriate Minister's office in accordance with current instructions.

2. In this regulation, the term 'Members of Parliament' means members of both Houses of the United Kingdom Parliament, and of any other legislature, including the Scottish Parliament, Welsh Assembly, Foreign and Commonwealth legislatures.

#### **J.6902. Visits by Members of Parliament to Service personnel in Close Arrest**

3. At the discretion of the Commanding Officer, a Member of the United Kingdom Parliament may visit a member of the Service who is in close arrest. If in a particular instance the Commanding Officer is in any doubt, or considers that the visit should not be permitted, or if the request to visit is made by a Member of any other legislature, the Commanding Officer should consult the Ministry of Defence under the procedure set out in **J.6901**.

**CHAPTER 70****SECURITY**

*(MOD Sponsor: Navy Command PSyA)*

This chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

**CONTENTS****Para**

J.7001.	General
J.7002.	Responsibility for Security
J.7003.	Official Secrets Act
J.7004.	Restrictions on Travel to Certain Countries
J.7005.	Disclosure of Official Information
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J.7008.	Visitors
J.7009.	Police and other Civilian Authority Reports
J.7010.	Disclosure of Official Information to Courts
J.7011.	Nationality
J.7012.	Information Caveat

## CHAPTER 70

### SECURITY

#### J.7001. General

1. **Definition of Protective Security.** Protective Security is the protection of assets from compromise. Compromise may be defined as a breach of:

- a. **Confidentiality.** The protection of information from damaging, unauthorised disclosure. (e.g. Protection from espionage, eavesdropping, leaks and computer hacking).
- b. **Integrity.** The maintenance of information, systems of all kinds and physical assets in their complete and proper form. (e.g. Protection from unauthorised alteration to a computer program or data).
- c. **Availability.** The permitting of continuous or timely access to information systems or physical assets by authorised users (e.g. Protection from sabotage, malicious damage, theft, fire and flood).

2. In assessing integrity and availability, consideration must be given to both the direct and indirect consequences of compromise.

#### J.7002. Responsibility for Security

1. **Admiralty Board Responsibility.** The Navy Board has overriding responsibility for the security of the Naval Service, its people, ships, establishments, equipment, stores and activities and the release of information pertaining to the Naval Service.

2. **Responsibility of Fleet Commander.** The Second Sea Lord is charged, on behalf of 1SL, with the responsibility for all aspects of security in ships and establishments within the Navy Command TLB both in the UK and overseas. Some aspects of security, in particular security risk management, may be passed to other TLBs on transfer of command and/or control of Navy Command assets (e.g. CJO for units in the JOA).

3. **Navy Command PSyA Responsibility.** Acting on behalf of 2SL the Navy Command Principle Security Advisor is responsible for overseeing the implementation of physical, documentary, IT and personnel security as promulgated by MOD DSR in JSP 440.

4. **Other Authorities' Responsibilities.** Commanding Officers and Heads of Establishments are to implement such measures as may be necessary to ensure the security of personnel, ships, establishments and units under their command or management and in particular are to ensure that security policy is rigorously applied.

5. **Commanding Officer's Responsibilities.** Commanding Officers and Heads of Establishments are to implement security under Risk Management procedures, iaw JSP 440 and Navy Command Security Regulations (NCSRs). They are to ensure that 2SL, through their appropriate 2\* Security Risk Manager, or any senior officer acting locally on their behalf, as appropriate, is kept informed of all matters affecting the security of their ships, units or establishments.



a. **Immediate Threats.** If an immediate threat develops and time or other circumstances preclude the use of normal command and management arrangements, directing those authorities with command or management responsibilities to take such measures and employ such resources as are required to contain or overcome the threat.

6. **Unit Security Officer.** Commanding Officers and Heads of Establishments are to nominate an officer as the Unit Security Officer (USO). In larger units or establishments, assistants to the USO, departmental USOs and assistant departmental USOs are also nominated. The duties of a USO are set out in Chapter 29.

7. **IT Security Officer.** Commanding Officers and Heads of Establishments are to appoint an IT Security Officer (ITSO). In larger units or establishments, assistant(s) to the ITSO and/or departmental ITSOs may need to be nominated.

### **J.7003. Official Secrets Act**

1. Every Officer is responsible for ensuring that all persons under his command are acquainted with the provisions of the Official Secrets Act 1911-1989, and with the need for strict compliance with those provisions. All personnel are to be reminded annually of their responsibilities under the Act. That appendix also reproduces declarations regarding the Official Secrets Act; these are to be signed by all personnel joining and leaving the regular Services.

### **J.7004. Restrictions on Travel to Certain Countries**

1. All serving personnel are to report, via their USO, to NAVY PSyA (NAVY PSyA-CI MAILBOX(MULTIUSER)) their intention to travel abroad on leave to countries to which Countries to which Special Security Regulations Apply (CSSRA - see JSP 440).

### **J.7005. Disclosure of Official Information**

1. It can be an offence against the Official Secrets Act for a person to divulge, whether during or after a period of Service with the Armed Forces, official information acquired by personnel during such unless expressly authorized to do so. All personnel are forbidden to communicate any official information, including information about to be made public, to any other person other than one to whom they are authorized to communicate it, or one to whom it is their official duty to communicate it. The use of such information for personal controversy or for any private purpose during or after completion of service without due authority may be a breach of the Official Secrets Act. Information acquired in an official capacity by anyone seconded for service with another Government Department is not to be disclosed without the express permission of that Department.

2. Any information of a professional or technical nature that members of the Armed Forces may acquire in the performance of their duty, or in the course of their official studies, is the property of the Crown and is not to be published in any form without the prior approval of the Ministry of Defence.

#### **J.7006. Restrictions on Use of Official Documents**

1. Official reports, correspondence, documents or magnetic media of whatever description, whether protectively marked or not, are the property of the Crown. The only legitimate use which personnel may make of official documents, or information derived from them, is for the furtherance of the public service in the performance of their duty.

2. All official publications and documents produced in the course of official duty are Crown copyright, including correspondence, drawings, maps, photographs and musical and other artistic works. Photographs taken with official equipment and material whether or not for authorized purposes are also Crown copyright. Permission for reproduction, in whole or in part, for any non-official purpose must be obtained from The Stationery Office, in whom Crown copyright is vested, or from a person holding his delegated authority. Applications should be referred to the Ministry of Defence (MOD Library (Crown Copyright Section)) copy to the Director of Corporate Communications (Navy).

#### **J.7007. Security of Official Documents**

1. Instructions governing the security of official documents and in particular their protective marking, custody, handling and transmission are contained in JSP440 and NCSRs.

#### **J.7008. Visitors**

1. A Commanding Officer or Head of Establishment is to satisfy themselves that proper arrangements are made and orders issued to control the admission of visitors, and is to ensure that Ministry of Defence instructions governing visits to ships, units and establishments of persons not in HM Service are carefully observed.

#### **J.7009. Police and Other Civilian Authority Reports**

1. Officers who seek the assistance of civilian authorities or organisations (e.g., the police or welfare organisations) to deal with problems concerning members of the Forces are reminded that all reports from such authorities are to be treated as 'IN CONFIDENCE' whether they are so marked or not. These reports must not be quoted verbatim nor their source disclosed except to another Service authority whose attention is to be drawn to their confidential nature.

#### **J.7010. Disclosure of Official Information to Courts**

1. Instructions regarding the disclosure of official information (either oral, electronic or documentary) to courts or in arbitration proceedings, and the giving of evidence by expert witnesses, are contained in Article 5808.

#### **J.7011. Nationality**

1. Nationality is recorded when application is made to join the Naval Service.

2. If not sole UK, the Nationality of individuals, their partner, and their close families, MAY restrict personnel from some appointments and/or access to certain protectively marked material. To ensure that nationality and security clearance records are kept up to date, all personnel are to report any change in status through their Commanding Officer to CNPers (as appropriate) and submit a Change of Personal Circumstances Form to DBS-NSV.

#### **J.7012. Information Caveat**

1. It is the condition of release that the information contained in QRRNs is for guidance and must not be used in isolation or as a substitute for the MOD's security policy and instructions as promulgated in JSP 440.

## CHAPTER 71

### SPARE

**CHAPTER 72****RELATIONS WITH COMMONWEALTH AND FOREIGN COUNTRIES**

*(MOD Sponsor: NS Engagements)*

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

**CONTENTS****Para**

- 7201. Relations with Commonwealth and Foreign Nationals and Authorities
- 7202. Role of British Embassies Overseas
- 7203. Purpose of Defence Engagement
- 7204. Communications with Commonwealth and Foreign Authorities
- 7205. Visits to Firms Abroad by Serving Officers and Ministry of Defence Personnel
- 7206. Protection of British Nationals Abroad
- 7207. Assistance to Other Commonwealth Citizens and Foreign Nationals
- 7208. Landing Armed Personnel
- 7209. Joint Action with Commonwealth or Foreign Warships
- 7210. Respect of Territorial Limits

## CHAPTER 72

### RELATIONS WITH COMMONWEALTH AND FOREIGN COUNTRIES

#### 7201. Relations with Commonwealth and Foreign Nationals and Authorities

1. When visits are paid to Commonwealth or foreign countries or to foreign ports or places, particular care is to be taken to avoid giving any cause for offence or dissatisfaction to the authorities or inhabitants; due respect is to be shown by all personnel to local regulations and customs.
2. All personnel in their relations with officers of Commonwealth or foreign warships are to show them such attention and respect as their rank and authority may entitle them to.
3. All personnel are to preserve a strict neutrality in all cases of civil dissensions abroad and make every effort not to arouse known political sensitivities in the host country. They are not to interfere directly or indirectly in political questions. The advice of the nearest British diplomatic Mission should be sought when a serious incident seems likely to develop or is known to have occurred.

#### 7202. Role of British Embassies Overseas

1. British Embassies and High Commissions together comprise the UK's "diplomatic Missions" overseas.
2. The role of a UK diplomatic Mission is to: function as the channel of communication between the British government and that of the host country; act as the official representative of the UK; and promote the interests of the UK and its citizens. Diplomatic missions are also sent to international organisations and conferences such as NATO and the UN.

#### 7203. Purpose of Defence Engagement

1. The 2015 Strategic Defence and Security Review (SDSR) set out the Government's vision for a secure and prosperous United Kingdom with global reach and influence. Whilst defence engagement has been an intrinsic part of the Royal Navy's modus operandi since time immemorial and is one of the four core roles, it is now formalised in Defence. Defence engagement is the use of people and assets to prevent conflict, build stability and gain influence. It also involves building strategic relationships with key countries and acting as a leader in international organisations such as NATO and the UN.
2. We face a changing security environment that is complex and dangerous for the UK and its national interests. No country is able to address all the challenges it faces alone, therefore, strong alliances and partnerships are more important than ever. As set out in the SDSR, the UK are making defence policy 'International by Design', ensuring that we make those partnerships and alliances central to all that we do. Defence engagement is a major component of making Defence 'International by Design'. The UK's international stance has been reinforced and a long-term, pro-active approach to international engagement is required.

3. Working closely with other nations' forces, both to operate together and to collaborate on developing capabilities and equipment is key to defence engagement. Recent UK activity has ranged from joint exercises and training with a broad range of countries around the world, to the development of new joint forces with European allies, through to deploying specific niche assets as part of a global response. Underpinning all of this is the global defence and diplomatic network, working to build influence globally and to keep Britain and its interests secure.

4. Defence engagement projects influence, promotes UK prosperity and helps to protect our people. It also enables the UK to respond to threats and crises when they emerge. In short, it is vital to UK interests.

5. In recognition of the importance of this work, and as set out in the SDSR, defence engagement has been made a funded, core MOD task for the first time, meaning that the Armed Forces will prioritise it alongside other core tasks – this is a step-change in our approach. The International Defence Engagement Strategy sets out how defence engagement contributes to delivering our vision of security and prosperity with strengthened influence to further our interests across the world.

#### **7204. Communications with Commonwealth and Foreign Authorities**

1. All communications with the local authorities or with Commonwealth and foreign consuls at a port abroad should, as a general rule, be made through Her Majesty's diplomatic Mission in that area.

2. Any remonstrance with the civil authorities is to be made by a naval officer only when a British diplomatic or consular representative is unavailable; and in such cases it must be made by the Commanding Officer or the Executive Officer only, and confined to matters of immediate naval concern.

#### **7205. Visits to Firms Abroad by Serving Officers and Ministry of Defence Personnel**

1. There may be occasions when attendance by serving officers or civilian personnel of the Ministry of Defence at functions given by firms abroad may prove embarrassing to Her Majesty's Government.

2. While most invitations to functions are from reputable firms and there is no reason why they should not be accepted, invitations from such firms abroad are to be examined with care. Whenever there is doubt, guidance is to be sought from the Ministry of Defence or the appropriate British Naval/ Military Attaché.

#### **7206. Protection of British Nationals Abroad**

1. If need arises for any of HM ships to act for the protection of British nationals in places abroad, express instructions will normally be issued by the Ministry of Defence. Naval authorities, unless they already have relevant instructions, are not to authorise action without prior consultation with the Ministry of Defence or, in an emergency, with any diplomatic representative of the United Kingdom in the area. See BR(d) 3012, Chapter 5.

**7207. Assistance to other Commonwealth Citizens and Foreign Nationals**

1. Application for the granting of assistance to other Commonwealth citizens and foreign nationals may be entertained if made through the British diplomatic or consular representative.

**7208. Landing Armed Personnel**

1. No party of armed personnel is to be landed in a Commonwealth or foreign country from ships of the Royal Navy for exercise or any other purpose except under arrangements made or understandings reached with the government of the country, unless exceptionally the Commanding Officer receives specific instructions to the contrary from the Ministry of Defence.

**7209. Joint action with Commonwealth or Foreign Warships**

1. The limitations in the preceding Articles apply equally to cases of joint action with Commonwealth or foreign warships. In such cases naval officers may act in concert with the Commonwealth or foreign naval officers so far as amicable representation is concerned, without exceeding the limits prescribed to British naval officers when interests of British nationals alone are concerned.

**7210. Respect of Territorial Limits**

1. The territorial limits claimed by Commonwealth and foreign powers are, as a general rule, to be scrupulously respected. Where Her Majesty's Government's has expressed a view that a State's claimed limits are not in accordance with international law, Commanding Officers operating in the vicinity of those claimed limits will be given specific instruction as to how they are to proceed. For territorial limits generally, see BR(d) 3012 Chapter 1.



## CHAPTER 73

### SPARE

**CHAPTER 74****DRESS AND DECORATION**

(*MOD Sponsors: J.7401 – DCTA; J.7402 - Naval Secretary(Honours and Awards)*)

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

**CONTENTS****Para**

- J.7401. Uniform and Dress
- J.7402. Orders, Decorations and Medals

## **CHAPTER 74**

### **DRESS AND DECORATION**

#### **J.7401. Uniform and Dress**

1. The uniform to be worn by Service personnel and the orders of dress on different occasions are laid down in the uniform, dress and clothing regulations of the respective Services.
2. The prescribed patterns are to be adhered to and personnel will be responsible for the cost of replacing or restoring to the approved pattern any articles which they alter without authority or which are so altered as a result of their instructions.
3. Uniform is to be worn by all ranks while on duty, except when authority to the contrary is given, and on such other occasions as may be ordered.
4. Regulations governing the wearing of uniform and civilian clothes are in BR3, Naval Personnel Management Part 6

#### **J.7402. Orders, Decorations and Medals**

1. Further details on Orders, Decorations and Medals can be found in the authorized Joint Service Publication 761 – Honours and Awards in the Armed Forces, as follows:

Introduction and General Instructions – Chapter 1

Operational Awards – Chapter 2

Non-Operational or 'Civilian' Gallantry Awards – Chapter 3

Awards in the Half-Yearly Honours Lists (New Year and Queen's Birthday) – Chapter 4

Meritorious Service, Long Service and Good Conduct, Reserve Efficiency Awards and Cadet Medals – Chapter 5

Notification – Chapter 6

Presentation of Awards – Chapter 7

Campaign Medals – Chapter 8

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Awards, Campaign and Medals from Commonwealth and Foreign Countries – Chapter 10

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**CHAPTER 75****RELIGION AND THE CHAPLAINCY SERVICE**

*(MOD Sponsor: Chaplain of the Fleet)*

This chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

**CONTENTS****Para**

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7503.	World Faith Chaplains to the Military
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7507.	The Conduct of Public Worship: Special Occasions
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7509.	Public Worship During Training
7510.	Spare
7511.	The Provision of Churches and World Faith Prayer Rooms

## CHAPTER 75

### RELIGION AND THE CHAPLAINCY SERVICE

#### 7501. General

1. The observance of religion in the Armed Forces is of the highest importance. It is the duty of all concerned to make adequate provision for the spiritual and moral needs of all personnel.
2. Commanding Officers are to encourage religious observance by those under their command and are themselves to set a good example in this respect.
3. Sympathetic consideration is to be given to the needs of officially recognized religious minorities who do not profess the Christian faith. No one is to be compelled to attend Public Worship against their wishes, except as provided in paras 7508 and 7509. However, all personnel, particularly those under the age of 17½ should be encouraged to attend Public Worship of their own denomination.
4. On entry into the Services all members of the Armed Forces are to be asked to declare, with complete freedom, their religious denomination. If they so wish, they may declare themselves to be atheist or agnostic, or of no denomination. A record of denomination will then be made in JPA.

#### 7502. Naval Chaplaincy Service Charter

1. The Naval Chaplaincy Service (NCS) exists to meet the spiritual and pastoral needs of the men and women of the Naval Service<sup>1</sup>; improving the resilience of the Service community, and equipping our people to meet the particular challenges of Service life.
2. Taking account of the individual traditions, histories and doctrines of each Sending Church, the founding principle of the NCS is that Naval Chaplains '*should do together everything which conscience does not compel us to do separately*<sup>2</sup>'. Naval Chaplains value and respect the traditions and faiths of their fellow chaplains and acknowledge the religious needs of Naval Service personnel of all faiths and of none.
3. While acknowledging the particular role of the Christian Faith in the heritage of the Naval Service and of the United Kingdom, the NCS rightly acknowledges the contributions made by the other World Faiths. Recognising the right of all members of the Naval Service to worship according to their own faith practices, where operationally practicable, chaplains are committed to facilitating the religious needs of all.
4. Chaplains represent and serve their own Sending Churches, maintaining their denominational integrity. All chaplains, in addition to the spiritual care they offer to members of their own tradition, provide an 'all souls ministry' to all Naval personnel and their dependants as '*friend and adviser of all on board*'.

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<sup>1</sup> Royal Navy, Royal Marines, Royal Fleet Auxiliary, and the Maritime Reserve.

<sup>2</sup> Lund Principal of Ecumenism 1952 as adapted by the Lambeth Conference 1968 (Resolution 44) and Swanwick Declaration.

5. Chaplains are commissioned by Her Majesty the Queen. They are to obey the lawful orders of their Superior Officers. All chaplains come under the functional authority of the Chaplain of the Fleet (COTF) for their professional duties, and under the appropriate Principal Denominational Chaplain (PDC) for ecclesiastical authority and discipline.

6. COTF will be selected through the Royal Navy's formal Promotion Board process without regard to his or her denomination. The criteria for this selection will be published by the Royal Navy. The Representatives of the Sending Churches will be consulted before the Promotion Board convenes to ascertain that the candidates enjoy their confidence.

7. The COTF will exercise his or her functional authority primarily through their Executive Group and the NCS Advisory Board. The Executive Group's function is the regular management of the branch, meets monthly and consists of: COTF, DCOTF, EA, Staff Chaplains & Professional Development Officer. The NCS Advisory Board will aim to govern by consensus while acknowledging the executive responsibility invested in the COTF. The role of the Board is to brief the Branch on current and emerging topics

8. The PDCs will undertake representational duties at both local and national level. They have the right of access to the Flag Community, keeping COTF's office informed; being resourced in both time (through assignment action) and finance (through the COTF's budget) to carry out their roles effectively. The PDCs will play their full part in the recruitment, career transfer and of chaplains. Commanding Officers who are assigned PDCs will be advised in writing by the COTF of the added responsibilities and requirements associated with service as a PDC.

8. The PDCs will be selected by the appropriate Sending Church authority in close consultation with the COTF. The appointment of a PDC will be published in the London Gazette through the Naval Secretary's office.

### **7503. World Faith Chaplains to the Military**

1. Specific chaplaincy provision for adherents of the Buddhist, Hindu, Jewish, Muslim and Sikh faiths is made by five World Faith Chaplains to the Military, based in locations around the UK. They provide a focus for personnel of their faith group and have a remit to provide chaplaincy support at unit level. Their contact details are available from:

NCS COORD  
Naval Chaplaincy Headquarters  
Tanner Building  
HMS EXCELLENT  
Whale Island  
Portsmouth PO2 8ER  
Tel: 0300 1569176

#### **7504. Observance of Holy Days**

1. Sundays, Good Friday and Christmas Day are, as far as possible, to be observed as days of rest when duties are reduced to a minimum. Corporate duties and organised sports events are not to be arranged, save exceptionally, at times which would interfere with normal Acts of Worship. At sea and on land operations every effort is to be made to give time for Public Worship.

#### **7505. The Conduct of Public Worship**

1. In ships and establishments where chaplains are borne, Public Worship is to be conducted on Sundays, Good Friday, Christmas Day and other holy days as circumstances allow, according to the liturgies of the appropriate denomination.

2. When no chaplain is on board, Commanding Officers, or Church Officers, are to make the best arrangements practicable to give effect to these instructions. Resources are available from local Naval Base Chaplaincy Centre.

3. At sea/on operations the main act of public worship should be non-denominational and accessible to all personnel. When a chaplain is embarked, he/she should make denominationally specific/sacramental provision separate from the main worship service, and preferably in a different location.

#### **7506. The Conduct of Public Worship: Interdenominational**

1. Joint Services of an interdenominational nature to mark specific events of national or local significance, and in the interests of ecumenical endeavour, may be arranged after consultation involving the Commanding Officer and the chaplains concerned. The chaplains are to ensure that their respective ecclesiastical authorities are in agreement with the form and place of the service.

#### **7507. The Conduct of Public Worship: Special Occasions**

1. A Commanding Officer may order a parade which includes a religious service, on special occasions of national or local importance. In special circumstances authority to order such a parade may be delegated to a local Commanding Officer. Any Act of Worship on such occasions will be planned and conducted interdenominationally in accordance with 7510.

#### **7508. Attendance at Public Worship**

1. Although in principle, no one is compelled to attend public worship against their wishes (see para 7501.3), occasionally parades and services may be arranged to mark events of a local or national significance (eg Remembrance Sunday, Commissioning and Decommissioning) which all personnel would be expected to attend.

2. Other events such as Divisions, which are primarily military events, designed to instil discipline and to promote naval ethos and tradition, may also have a short religious element.

3. Whilst in the past, those of other faiths and none were permitted to fall out for the duration of prayers within divisions, the current practice is for a Naval chaplain to deliver a short 'thought for the day' address on a broadly religious or moral topic, for which all personnel are expected to remain on parade. The chaplain's input will, on occasion, be led by one of the World Faith Chaplains to the Military, representing the other major faiths.

4. In cases where guidance on an individual's attendance at such events is sought, Commanding Officers should weigh the statement that 'reverent observation of religion in the Armed Forces is of the highest importance' (see J7501.1) against the premise that no individual is compelled to agree or affirm that which is being said by the person leading prayers. It is therefore suggested that all attendees at such parades should remain at their place of duty for this short religious component. If individuals object strongly to attending the religious component of divisions on moral/faith grounds, they should make a representation to the Command in sufficient time for their case to be reviewed before the event.

#### **7509. Public Worship During Training**

1. During certain phases of naval training, as part of developing an individual's moral component and to encourage broadening (eg during Phase 1 training and preparing personnel for hardship and combat), attendance at public worship may be highly desirable. In such circumstances, provision should always be made for adherents of the other major world faiths. Individuals who object to taking part in such events retain their right to represent their objections, which should be reviewed by the Command. Recruits in Phase 1 training are now allowed to be excused from Sunday worship as long as they attend an ethical discussion organized by the instructional staff, however they are still to take part in Chaplaincy teaching sessions, Divisions etc.

#### **7510. Spare**

#### **7511. The Provision of Churches and World Faith Prayer Rooms**

1. Commanding Officers are responsible for initiating administrative action through their Property Manager/ Site Estate Representative for the provision of churches, church rooms and world faith rooms permitted under the appropriate scale (JSP315). When a church, church room or world faith room is not available, Commanding Officers are to ensure that adequate and worthy accommodation is made available for the conduct of worship including for other world faiths.



## CHAPTER 76

### EDUCATION AND RESETTLEMENT

*(MOD Sponsor: DACOS (T))*

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

### CONTENTS

#### **Para**

7601. Responsibilities

## **CHAPTER 76**

### **EDUCATION AND RESETTLEMENT**

#### **7601. Responsibilities**

1. Responsibility for the education of members of the Armed Forces rests with Commanders of all formations and units at their respective levels of command.
2. Responsibility for the provision of education services, within the framework of policy laid down by the Defence Council, rests with the Services' Directors of Education.
3. The Deputy Assistant Chief of Staff (Training) is the RN Service Director of Education.
4. The Service's Directors of Education are responsible to their respective Principal Personnel Officers for the provision of Learning and Development policy and provision, and education and resettlement services in accordance with the requirements contained in, BRd 3, Chapter 96, Naval Personnel Management, JSP 822 Sections 6.4 to 6.6 and JSP 534 the Tri-Service Resettlement and Employment Support Manual.

**CHAPTER 77****MEDICAL**

(MOD Sponsor: NAVY MED-MED PERS COMP SO1)

This chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

**CONTENTS****Para**

- 7701. Regulations
- 7702. Medical Organization for Action and Emergency
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## CHAPTER 77

## MEDICAL

**7701. Regulations**

1. Detailed medical regulations and instructions are contained in BR 1750A<sup>1</sup> BR 1991<sup>2</sup>, and JSP 950<sup>3</sup>

**7702. Medical Organization for Action and Emergency**

1. Commanding Officers of Ships are responsible for the Medical Organization for Action and Emergency (MOFA/E). (See BR 2170(1) Ship, *CBRN Damage Control Manual, Volume 1 Damage Control*, Chap 13<sup>4</sup>).

**7703. First Aid**

1. All new entry personnel both Officers and Ratings are to be trained in First Aid. Core Maritime Skills 3 (CMS 3) Foundation training is to be delivered to all Phase 1 trainees. Further training to Level 2 and Level 3 is to be conducted in order to fulfil the Royal Navy (RN) requirement and maintain Operational Capability (OC).
2. ACOS MED is responsible for Medical training policy, advice and guidance.
3. First Aid training for all Naval personnel is undertaken at Phoenix CBRNDC and HMS Raleigh First Aid Training Units (FATUs), or those shore establishments and HM Ships that can meet the training criteria defined in BR 1991, Chapter 5<sup>5</sup>, Section 3, Annex B and extant DIN/RNTM.
4. All Medical Branch Assistants, regardless of rank, are to be trained and remain in date for First Aid Level 2 (CBRN 23).
5. Details of all training requirements and qualifications are contained in BR 1991 Chapter 5<sup>6</sup> and the extant DIN on First Aid Training in the RN, RM and RNR.

**7704. Medical Personnel - Protection in War**

1. Medical personnel are required to be fully acquainted with their duties and the rights to which they are entitled under international humanitarian law.

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<sup>1</sup> BR 1750A, The handbook of Naval Medical Standards, [https://web.apps.royalnavy.r.mil.uk/fpgo/BRd\\_0001\\_4999/BRd\\_1750a/01\\_homepage.html](https://web.apps.royalnavy.r.mil.uk/fpgo/BRd_0001_4999/BRd_1750a/01_homepage.html)

<sup>2</sup> BRd 1991 Instructions for the Royal Naval Medical Service, [http://web.apps.royalnavy.r.mil.uk/fpgo/BRd\\_0001\)4999/BRd\\_1991/01\\_Homepage.html](http://web.apps.royalnavy.r.mil.uk/fpgo/BRd_0001)4999/BRd_1991/01_Homepage.html)

<sup>3</sup> JSP 950 Medical Policy. <https://modgovuk.sharepoint.com/sites/defnet/HOCS/Pages/JSP950.aspx>

<sup>4</sup> BRd 2170(1) Ship CBRNDC Manual Volume 1 – Damage Control. [http://web.apps.royalnavy.r.mil.uk/fpgo/BRd\\_0001\\_4999/BRd\\_2170\\_1/01\\_Homepage.html](http://web.apps.royalnavy.r.mil.uk/fpgo/BRd_0001_4999/BRd_2170_1/01_Homepage.html)

<sup>5</sup> BRd 1991 Chapter 5, Section 3 Instructions for the Royal Naval Medical Service, [http://web.apps.royalnavy.r.mil.uk/fpgo/BRd\\_0001\)4999/BRd\\_1991/01\\_Homepage.html](http://web.apps.royalnavy.r.mil.uk/fpgo/BRd_0001)4999/BRd_1991/01_Homepage.html)

<sup>6</sup> BRd 1991 Chapter 5, Section 3 Instructions for the Royal Naval Medical Service, [http://web.apps.royalnavy.r.mil.uk/fpgo/BRd\\_0001\)4999/BRd\\_1991/01\\_Homepage.html](http://web.apps.royalnavy.r.mil.uk/fpgo/BRd_0001)4999/BRd_1991/01_Homepage.html)

The provisions and arrangements for medical personnel and the text of the Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention) are contained in BR 1991 Chapter 4,, Operational-Legal Policy<sup>7</sup> and BRd 2 Chapter 47<sup>8</sup>.

#### **7705. Disclosure of Information Regarding a Patient**

1. Personal medical information belongs to the patient in accordance with the Data Protection Act 2018<sup>9</sup> and any request for disclosure is to be managed under General Data Protection Regulations and the principles of Caldicott JSP 950 Vol 1 Chapter 2 Lft 1-2-15 and JSP 950 Lft 1-2-9<sup>10</sup>.

2. Reports, correspondence and documents , whether classified or not, are the property of the Crown and are to be managed under the Caldicott Principles. Officers and ratings who have access to them are cautioned against divulging the contents, without obtaining special authority. Anyone managing patient related information is to be trained at the appropriate level in accordance with JSP 950 Leaflet 1-2-15<sup>11</sup>.

3. The circumstances and conditions for the release of Service medical records, and the information contained therein, are detailed in BR 1991 Chapter 20<sup>12</sup> and JSP 950 Vol 1, Chap 2 Administrative Policy<sup>13</sup>.

#### **7706. Report on Injury Occupational Illness or Death**

1. All accidents/incidents are to be reported in accordance with BRd 167 Chapter 3<sup>14</sup>. Navy Lessons and Incident Management System (NLIMS) reporting should be raised as soon as sufficient details concerning the event are available to allow completion of the form. Completion of NLIMS is a line management responsibility and is not a medical-in-confidence document. In case of death, life-threatening/very seriously ill or major injuries, the form should be completed immediately and submitted via Naval Service Incident Notification Cell (NSINC)<sup>15</sup> who will investigate and raise Reporting Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) as required. This should be no later than 24 hours after the event for all other occurrences/incidents. Detailed instructions are contained in JSP 375 Vol 2 Leaflet 14<sup>16</sup>.

<sup>7</sup> BRd 1991 Chapter 4, Section 3 Instructions for the Royal Naval Medical Service, [http://web.apps.royalnavy.r.mil.uk/fpgo/BRd\\_0001\)4999/BRd\\_1991/01\\_Homepage.html](http://web.apps.royalnavy.r.mil.uk/fpgo/BRd_0001)4999/BRd_1991/01_Homepage.html)

<sup>8</sup> BRd 2 Chapter 47 The Queen's Regulations for the Royal Navy. [http://web.apps.royalnavy.r.mil.uk/fpgo/BRd\\_0001\\_4999/BRd\\_0002/BRd\\_002/BRd\\_2\\_book\\_pdf](http://web.apps.royalnavy.r.mil.uk/fpgo/BRd_0001_4999/BRd_0002/BRd_002/BRd_2_book_pdf)

<sup>9</sup> The Data Protection Act 2018, <https://www.gov.uk/data-protection>

<sup>10</sup> JSP 950 . [https://modgovuk.sharepoint.com/sites/defnet/JFC/Pages/JSPMedicalAdministration\\_.aspx](https://modgovuk.sharepoint.com/sites/defnet/JFC/Pages/JSPMedicalAdministration_.aspx)

<sup>11</sup> JSP 950 Vol 1 Chapter 2 Leaflet 1-2-15. DMS Caldicott Policy. [https://modgovuk.sharepoint.com/sites/defnet/JFC/Pages/JSPMedicalAdministration\\_.aspx](https://modgovuk.sharepoint.com/sites/defnet/JFC/Pages/JSPMedicalAdministration_.aspx)

<sup>12</sup> BRd 1991 Chapter 20 Instructions for the Royal Naval Medical Service, [http://web.apps.royalnavy.r.mil.uk/fpgo/BRd\\_0001\)4999/BRd\\_1991/01\\_Homepage.html](http://web.apps.royalnavy.r.mil.uk/fpgo/BRd_0001)4999/BRd_1991/01_Homepage.html)

<sup>13</sup> JSP 950 Vol 1 Chapter 2. Administrative Policy. [https://modgovuk.sharepoint.com/sites/defnet/JFC/Pages/JSPMedicalAdministration\\_.aspx](https://modgovuk.sharepoint.com/sites/defnet/JFC/Pages/JSPMedicalAdministration_.aspx)

<sup>14</sup> BRd 167 Safety, Health and Environment Manual for HM Ships and Submarines, [http://web.apps.royalnavy.r.mil.uk/fpgo/BRd\\_0001\\_4999/BRd\\_0167/BRd\\_167/01.Homepage.html](http://web.apps.royalnavy.r.mil.uk/fpgo/BRd_0001_4999/BRd_0167/BRd_167/01.Homepage.html)

<sup>15</sup> Navy Safety Centre – NSINC Team Page, <https://modgovuk.sahrepoint.com/sites/defnet/Navy/Pages/Navy-Safety-Centre-CESO-NLIMS-Team-Page.aspx>

<sup>16</sup> JSP 375 Vol 2 Leaflet 14. Management of Health and Safety in Defence. <https://modgovuk.sharepoint.com/sites/defnet/dsa/Pages/JSP-375-Management-of-Health-and-Safety-in-Defence.aspx>

## BRd 2

2. BRd 9465<sup>17</sup> Fleet Naval Nuclear Authorisation and Radiological Control Manual detail the process for incident reporting of any Radiological related incident/accidents defined in JSP 392, NRPA-3-(1-13) and DHCS 7.

3. Management of the deceased is referenced within JSP:751 Part 1 Volume 2<sup>18</sup>.

### 7707. Information to Relatives

1. Notifications to the next of kin of any officer or rating are to be made immediately in accordance with current instructions on reporting of casualties JSP 751 Part 1 Vol 1 Chap 4<sup>19</sup>.

2. Instructions for the reporting of very seriously ill patients or seriously ill patients and details of the DILFOR/DILFOR(UK) scheme, under which personnel who are very seriously ill either overseas or in the UK may, on the medical recommendation of the Senior Medical Officer, be visited by two persons at public expense. Information is contained in JSP 751<sup>20</sup> and in BR 1991<sup>21</sup>.

### 7708. Patients Incapable of Communicating with Next-of-Kin

1. When patients are suffering from mental or other illnesses which render them incapable of communicating with their next-of-kin, reports are to be made in accordance with JSP 751 Part 1 Chap 2<sup>22</sup> at an early stage of the illness. This applies to all cases not on the seriously ill or very seriously ill lists, in these cases it is likely that the individual will be listed as III. All reports are to include brief information on the present condition and wherever possible, a prognosis and probable disposition in order that the next-of-kin may be informed as fully as possible by the authorities concerned.

### 7709. Registration for Primary Healthcare

1. Under NHS regulations, on joining the Armed Forces, NHS General Practitioners are required to remove personnel from their list and there is no entitlement for service personnel to re-register until discharged. It is imperative that all Naval Service personnel are registered with their nearest Service medical facility to allow appropriate primary care to be provided. The electronic interface between the NHS and DMS does not allow dual registration.

2. Exceptions are made for shared care for maternity cases/ District Nursing where no military provided medical facilities exist and for emergency treatment where attendance as a temporary resident is the most appropriate route for seeking medical care.

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<sup>17</sup> BRd 9465 Fleet Naval Nuclear Authorisation and Radiological Control Manual,  
[http://web.apps.royalnavy.r.mil.uk/fpgo/BRd\\_5000\\_9999/BRd\\_9465/01\\_Homepage.html](http://web.apps.royalnavy.r.mil.uk/fpgo/BRd_5000_9999/BRd_9465/01_Homepage.html)

<sup>18</sup> JSP 751 Part 1 Volume 2 Joint Casualty and Compassionate Policy and Procedures,  
<https://modgovuk.sharepoint.com/sites/defnet/HOCS/Pages/JSP751.aspx>

<sup>19</sup> JSP 751 Part 1 Volume 1 Chapter 4. Joint Casualty and Compassionate Policy and Procedures.  
[https://modgovuk.sharepoint.com/sites/defnet/HOCS/Documents/JSP751.Part1\\_vol1.pdf](https://modgovuk.sharepoint.com/sites/defnet/HOCS/Documents/JSP751.Part1_vol1.pdf)

<sup>20</sup> JSP 751 Part 1 Volume 1 Chapter 4. Joint Casualty and Compassionate Policy and Procedures.  
[https://modgovuk.sharepoint.com/sites/defnet/HOCS/Documents/JSP751.Part1\\_vol1.pdf](https://modgovuk.sharepoint.com/sites/defnet/HOCS/Documents/JSP751.Part1_vol1.pdf)

<sup>21</sup> BRd 1991 Chapter 4, Section 3 Instructions for the Royal Naval Medical Service,  
[http://web.apps.royalnavy.r.mil.uk/fpgo/BRd\\_0001\)4999/BRd\\_1991/01\\_Homepage.html](http://web.apps.royalnavy.r.mil.uk/fpgo/BRd_0001)4999/BRd_1991/01_Homepage.html)

<sup>22</sup> JSP 751 Part 1 Volume 1 Chapter 2. Joint Casualty and Compassionate Policy and Procedures.  
[https://modgovuk.sharepoint.com/sites/defnet/HOCS/Documents/JSP751.Part1\\_vol1.pdf](https://modgovuk.sharepoint.com/sites/defnet/HOCS/Documents/JSP751.Part1_vol1.pdf)

## 7710. Refusal of Dental Treatment

1. Refusal of dental treatment as advised by a Dental Officer may be considered reasonable (e.g. major dental procedures requiring hospitalisation) or unreasonable as in the case of routine dental treatment required to render personnel dentally fit for normal Service duties
2. Any refusal which is considered as unreasonable should be noted in the individual's dental documents, copied in the medical documents, and countersigned by the individual. The matter should be referred to the Commanding Officer for possible action under the Armed Forces Act 2006<sup>23</sup>.
3. Personnel who refuse dental treatment are to be informed that, if they are invalided from causes attributable to dental disease and the disability appears to be due to negligence or want of proper care on their part, any Service pension or gratuity may be reduced in amount or withheld altogether.

## 7711. Refusal of Routine (Public Health) Immunisations

1. All immunisations remain voluntary and can only be performed when personnel have given informed consent..
2. No punishment or penalty is to be incurred for declining immunisation. Personnel who refuse immunisation for whatever reason will be assigned and deployed as required by the Service, but every precaution is to be taken to prevent those who refuse becoming a danger to the Service or a threat to others.
3. If an individual refuses routine (public health) immunisation(s), they should be counseled as follows:
  - a. The personal and community benefits should be explained to them.
  - b. That they have a continuing liability for deployment regardless of their immunization status.
  - c. That their refusal will be formally documented in their electronic medical records.

## 7712. Malingering

1. In the course of their duty, if a Medical Officer discovers that any person has wilfully produced, concealed, aggravated or feigned any disease to the prejudice of the Service, they are to report the particulars of the case to their Commanding Officer so that, if deemed advisable, disciplinary action may be taken. Medical Officers are advised to seek 'Medico-Legal' advice from NAVYMED-PERSPOLMAILBOX@MOD.GOV.UK before making such a report.

<sup>23</sup> Armed Forces Act 2006 <https://www.legislation.gov.uk/ukpga/2006/52/contents>

### **7713. Discharge to Hospital or Sick Quarters**

1. When a patient is admitted to or is reported to have been admitted to hospital inclusive of Joint Hospital Group (JHG) units, details of the case are to be reported in accordance with JSP 751<sup>24</sup>.

### **7714. Discharge of Patients from Hospital**

1. Unless granted direct sick leave, officers/ratings are to be returned to the unit to which they belong if this is practicable. If it is not, they are to be discharged from the hospital and returned to their Base Port under the care of the Principal Medical Officer (PMO) for further assessment and disposal. See section 7716 below for actions to be taken when in hospital overseas.

2. When an officer/ rating is returned to their ship/ submarine/ unit from hospital and the Commanding Officer, or delegate, considers there are justifiable reasons for refusing to receive them for further service, they should be referred to a DPHC medical officer for assessment. This must be as local to the ship/ submarine/ unit as possible; should this not be practicable, the officer/ rating is to be referred to their Base Port Medical Centre with a statement from the Commanding Officer, or delegate, of the ship giving the full reasons for the action. These are also to be communicated by the Commanding Officer to their superior authority.

### **7715. Medical Attention and Treatment in the UK**

1. Serving personnel who fall sick whilst on leave, living out or on detached duty at a place where no Naval medical facilities are available, should seek treatment from the Medical Officer of any DPHC establishment within reasonable distance. Where no such medical facilities are available or where medical urgency will not permit delay, treatment should be obtained from a National Health Service General Practitioner (GP) who will provide treatment as a 'temporary resident' or 'immediate necessary treatment' under the NHS regulations. Service Personnel are entitled to emergency treatment, where necessary from the NHS.

2. An officer or rating who falls sick on leave, or away from duty, and who places themselves under the care of an NHS medical practitioner, must report, or cause the fact to be reported, to their Commanding Officer, head of establishment or directorate division. They should provide appropriate contact details for their unit DPHC medical facility to engage with the NHS medical practitioner to allow a report of their treatment to be sent for inclusion in their service medical records.

### **7716. Medical Attention and Hospital Treatment Abroad**

1. When a sick case is landed overseas where there are no Royal Navy or other UK Service facilities the senior officer present is to make arrangements with a host nation medical practitioner or with civil medical authorities on such terms as may be expedient for the care of the patient and in the interests of the Service.

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<sup>24</sup> JSP 751 Part 1 Volume 1 Joint Casualty and Compassionate Policy and Procedures.  
[https://modgovuk.sharepoint.com/sites/defnet/HOCS/Documents/JSP751.Part1\\_vol1.pdf](https://modgovuk.sharepoint.com/sites/defnet/HOCS/Documents/JSP751.Part1_vol1.pdf)



2. If a sick case is left in hospital ashore when the ship/ submarine sails or unit moves, the Consular Office of the district should be notified, with full particulars of the patient. All such cases are to be reported in accordance with JSP 751<sup>25</sup>.
3. Before approving payment of expenses resulting from the foregoing arrangements, the administrative authority receiving the claim is to assure themselves that the expense has been approved and the accounts have been examined by competent officers and are in order.
4. All patients returning from overseas for medical reasons are to have travel arrangements made by the RAF Aeromedical Evacuation Coordination Cell<sup>26</sup>. Further information can be found in BR 9467 (FLAGOs) Chapter 19<sup>27</sup> and Air Publication (AP) 3394<sup>28</sup>.
5. At present, all Royal Navy(RN) personnel can still apply for and hold a valid European Health Insurance Card (EHIC). However, going forward this may no longer be available so all RN should have appropriate travel insurance.

#### **7717. Dental Treatment**

1. Detailed instructions concerning dental treatment of officers, ratings and civilians, are given in BR 1991, Chap 15<sup>29</sup>.
2. If Service facilities are not available, entitled persons in the UK may be referred to a NHS dental practitioner. In each case, Form FMed 283, Treatment by Civilian Dental Surgeon, duly authenticated by the patient's Commanding Officer's stamp is to be taken to a civilian dentist who is willing to undertake the treatment at the scale of fees allowed under current National Health Service regulations.
3. Abroad, when no Service facilities are available, except for emergency treatment for the relief of pain or infection, or repair of dentures and bridges, and before substantial cost is incurred, advice should be sought from the local Service authority or the senior British or consular representative. Payment of treatment other than in accordance with current regulations is the responsibility of the patient.
4. DPHC Dental facilities are to be used wherever possible for emergency dental treatment whilst on leave in the UK. If Service facilities cannot be used, emergency treatment is to be obtained from a civilian dentist under the conditions of the National Health Service regulations. If treatment is obtained other than under the NHS a receipt for the fee paid and a statement of the treatment carried out must accompany any claim for reimbursement which will be limited to the cost of emergency treatment only.
5. Personnel on leave outside the country in which they are serving are not entitled to dental treatment at Ministry of Defence expense but may seek treatment from British Service

<sup>25</sup> JSP 751 Part 1 Volume 1 Joint Casualty and Compassionate Policy and Procedures.  
[https://modgovuk.sharepoint.com/sites/defnet/HOCS/Documents/JSP751.Part1\\_vol1.pdf](https://modgovuk.sharepoint.com/sites/defnet/HOCS/Documents/JSP751.Part1_vol1.pdf)

<sup>26</sup> AP3394 4<sup>th</sup> Edition The Royal Air Force Aeromedical Evacuation Service.  
<https://modgovuk.sharepoint.com/sites/defnet/RAF/Airpublication>

<sup>27</sup> BRd 9467 Fleet Administrative and General Orders.  
[http://web.apps.royalnavy.rmil.uk/fpgo/BRd\\_5000\\_9999/BRd\\_9467/BRd\\_9467/01.Homepage.html](http://web.apps.royalnavy.rmil.uk/fpgo/BRd_5000_9999/BRd_9467/BRd_9467/01.Homepage.html)

<sup>28</sup> AP3394 4<sup>th</sup> Edition The Royal Air Force Aeromedical Evacuation Service.  
<https://modgovuk.sharepoint.com/sites/defnet/RAF/Airpublication>

<sup>29</sup> BRd 1991 Chapter 15 Instructions for the Royal Naval Medical Service,  
[http://web.apps.royalnavy.rmil.uk/fpgo/BRd\\_0001\)4999/BRd\\_1991/01\\_Homepage.html](http://web.apps.royalnavy.rmil.uk/fpgo/BRd_0001)4999/BRd_1991/01_Homepage.html)

sources. Personnel serving in or visiting European Economic Community countries may seek treatment under EC reciprocal agreement regulations.

#### **7718. Canteen Staff - Medical and Dental Examination and Treatment**

1. All members of the canteen staff employed by the Navy Army Air Force Institute (NAAFI) are medically examined by the Institute before entry under arrangements made by NAAFI. Those employed in handling food will be additionally required to complete a health declaration after periods of absence due to illness or travel abroad before returning to food handling duties.

2. Canteen employees serving in or under liability to serve in HM ships afloat will be subject to the same medical supervision as members of the ship's company including vaccinations and are required, , to be in possession of a valid ENG1 Certificate issued by a doctor approved by the Maritime and Coastguard Agency.

3. The entitlement of NAAFI personnel to medical and dental examination and treatment and the circumstances under which appropriate charges for these services are to be raised against NAAFI are detailed in BR 1991<sup>30</sup>.

#### **7719. Psychological Support following Disasters or Major Accidents**

1. In the first instance Command will draw on the support of the unit Trauma Risk Management (TRiM) team and the Operational Stress Management Cell at NCHQ. The RNMS has the facility to respond to assist units involved in a military disaster and others who may have suffered psychologically as a result of their involvement, where the incident overwhelms the TRiM team. Initial response would be in the form of advice on educational and risk assessment to personnel within the unit. Should the situation demand it, suitably selected mental health could be deployed as required and as appropriate.

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<sup>30</sup> BRd 1991 Chapter 7 Instructions for the Royal Naval Medical Service,  
[http://web.apps.royalnavy.r.mil.uk/fpgo/BRd\\_0001\)4999/BRd\\_1991/01\\_Homepage.html](http://web.apps.royalnavy.r.mil.uk/fpgo/BRd_0001)4999/BRd_1991/01_Homepage.html)

**CHAPTER 78****RN IDENTITY CARDS (MOD FORM 90)**

*(MOD Sponsor: NAVY PSyA)*

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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7801. Royal Navy Identity Card, MOD Form 90

## **CHAPTER 78**

### **RN IDENTITY CARDS (MOD FORM 90)**

#### **7801. Royal Navy Identity Card, MOD Form 90**

##### **Issue**

1. The Royal Navy Identity Card, MOD Form 90, belongs to the MOD's suite of Defence Identity Cards (DIDC). It is an official accountable document which is issued to all officers of the RN, RM, RFA, QARNNS and their Reserves, to naval ratings, RM other ranks, RFA contract ratings, QARRNS personnel and their Reserves serving at home and abroad. A version of the card is to be issued to Officers and ratings recalled to Service and to exchange personnel.
2. RN Identity Cards are issued to members of the Naval service as proof of identity of the bearer. Officers and ratings should carry their Identity Cards at all times unless there are special instructions to the contrary. The MOD Form 90 is never to be passed into the permanent or temporary custody of any third party other than military authorities.
3. Issues of the RN Identity Card become invalid on reaching their displayed EXPIRY date, at which time they are to be withdrawn from the bearer and destroyed as OFFICIAL – SENSITIVE waste.
4. Where RN Identity Card data capture equipment is held at a unit it is to be used to capture data for initial issue and re-issue of the card in circumstances where immediate re-issue is not required (ie change of rank/rate or other details). Replacement cards for those lost, stolen or damaged beyond use are to be applied for using F IDENT 1024 (found on Defence Intranet under Tools/Forms/JPA Forms/JPAC & Associated Forms. Where no data capture equipment is available, all applications for issue or re-issue of RN Identity Cards are to be made on F IDENT 1024 and forwarded in accordance with the instructions therein.
5. Commanding Officers of all units and establishments are to authorise applications for all issues or re-issues of RN Identity Cards on F IDENT 1024. Authorisation may be delegated to the Unit Personnel Office, or other RN Identity Card issuing authority, as appropriate; the minimum level of delegation for authorisation is Warrant Officer.
6. A record of demands, receipts and issues of RN Identity Cards is to be kept by all establishments and units. These records are subject to inspection and are to be retained by units for 3 years or until paying off, whichever is the earlier, and by shore establishments for three years; they should then be destroyed.

##### **Loss/Theft**

7. It is the responsibility of the bearer to ensure that RN Identity Cards do not fall into the hands of unauthorised persons. The transfer to another person, alteration, unauthorised destruction, copying, or loss/theft through neglect of this official document is an offence. Failure to report the loss or theft of an Identity Card as in the next clause is also an offence.
8. All losses/thefts are to be reported to Navy Command PSyA in accordance with current instructions published within NC Security Regulations (NCSR).

9. The loss or theft of a RN Identity Card is to be reported immediately to the Commanding Officer of the loser's parent unit or establishment. The Commanding Officer is to inform the police in the district in which the loss occurred if in the United Kingdom. If abroad, the loss should be reported to the local British Naval Authority or British Consul, who will inform the police if necessary. Where there is no British Naval or Consular authority, the Commanding Officer should use discretion as to whether to inform the police or other local officials.

10. Detailed reporting procedures and associated administrative actions to be followed in the event of each loss or reported theft are set out in NCSRs and the references therein. These procedures and instructions are to be rigidly adhered to in each case of loss or theft.

11. In the event of a RN Identity Card being recovered at any time after being reported as lost or stolen and a replacement being issued, then the recovered card is to be destroyed. No Officer or rating is authorised to be in possession of more than one RN Identity Card. NAVY WARP is to be informed by e-mail in each instance of ID Card recovery.

### **Disposal**

12. RN Identity Cards and other forms of security pass or permit are now invalidated by the corners being cut off and returned to personnel leaving the service as part of their discharge routine.

13. RN Identity Cards recovered by any means following a previously reported loss or theft, or a duplicate, in any instance where it is found that a duplicate card exists, are to be destroyed by cutting into several pieces, and then disposed of locally as OFFICIAL - SENSITIVE waste. A record of destruction is to be kept by all units and establishments.

### **Photographs**

14. Colour photographs for appending to F/IDENT 1024, on occasions when data capture equipment is not available, are to be of passport type and size, showing the head and shoulders only against a plain background.

15. Wherever possible, colour photographs are to be provided from local service sources. When this is not possible they are to be obtained at the most economical rate available and the costs incurred are to be reclaimed via JPA.

### **Temporary ID Cards**

16. Form F/IDENT 693 may be used by units and establishments for issue as temporary ID cards in the event of loss or damage to MOD form 90. Commanding Officers or Heads of Establishment reserve the right to refuse entry when only a F/IDENT 693 is provided. In this instance the Establishment will issue an appropriate Temporary Local Pass.

17. Temporary ID cards are to be recovered from the holder when there is no longer a valid reason for their retention. Recovered ID cards are then to be destroyed and the record of original issue noted. Failure to recover any form of temporary identity document from an overseas Officer or rating on exchange, loan or training duty with the Royal Navy is to be reported immediately to the sponsoring authority for the period of loan, exchange or training and to Navy Command PSyA.

## **BRd 2**

18. The acceptance of MOD Form 90, F/IDENT 693 as a means of identification and any right of entry is entirely at the discretion of the Commanding Officer/Head of Establishment.

### **Deployed Units**

19. Locally Produced ID Cards (LPID) are a temporary form of identity document for use when deployed outside UK waters. The LPID has no validity in the UK. They have short-term validity and are to be used instead of MOD Form 90 wherever they are acceptable to local port security officials.

20. The LPID has been introduced as a security measure to minimize the possibility of MOD Form 90 being used for illegal purposes by unauthorised persons.

21. Current instructions for the issue and management of the LPID scheme are set out in RNTM.

## CHAPTER 79

### SPARE

## CHAPTER 80

### WELFARE COMMITTEE, CANTEEN AND NON-PUBLIC FUNDS

(MOD Sponsors: NAVY PEOPLE-TRG-HQ N9(EXEC FXO)

This chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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**CHAPTER 80**

**WELFARE COMMITTEE, CANTEEN AND NON-PUBLIC FUNDS**

**SECTION I - WELFARE COMMITTEE AND SHIP'S WELFARE FUND**

**8001. Establishment of Welfare Committees**

1. All ships, submarines, establishments, squadrons and units are to have established a Welfare Committee, chaired by the Executive Officer and comprising elected representatives from across the Unit Position List such that all ranks, rates or groupings are adequately represented.
2. The Commanding Officer may authorise a Welfare Committee to manage a Welfare Fund subject to current regulations in BRd18, Management and Accounting Instructions for Non-Public Funds..
3. The institution of a Welfare Committee is in no way to interfere with or prejudice the right of an individual rating to put forward suggestions through the Divisional Officer, nor to affect the responsibility of the Divisional Officer for looking after the interests of those in the division.
4. The items which Welfare Committees may discuss include living conditions in the ship or establishment, messing arrangements, recreational activities and any suggestions for the welfare of the ship's company. Responsibility for the administration of the ship's funds will also be undertaken by the Committees
5. General conditions of Naval Service, such as discipline, working hours, pay, allowances and leave scales and such matters as cooking and serving food from galleys are outside the scope of Welfare Committees.
6. The full regulations governing the objectives of Welfare Committees and Ship's Welfare Fund; their formation, the composition of the committee, the election of representatives, special arrangements for large establishments, meetings of the committee, together with guidance on administering the fund, its disposal on the loss of a ship are now contained in BR3 Naval Personnel Management Chapter 24, Annex 24A, Section 1, Art 2405.

**8002–8010. Unallocated**

## SECTION II - MESSES, CANTEENS AND BARS—AUTHORISATION AND LICENSING

### 8011. Authorisation of Bars

1. In the United Kingdom, Assistant Chief of Naval Staff (Personnel), and Flag Officer Sea Training within the limits of their areas, and Commandant General, Royal Marines, in respect of Royal Marines establishments, are authorised to approve the opening of bars ashore for the exclusive use of Service personnel, and to issue on behalf of 2nd PUS a certificate of authority to hold the bar. If these officers are prevented from issuing the certificate personally, authority may be delegated to their immediate deputies but no further: such delegation should be avoided if possible. The certificate should be issued in favour of the person concerned by reference to his/her official appointment and should be expressed to include their successors in that appointment to avoid the need for renewing the certificate on the relief of the holder. The certificate should also give the situation of the bar and a description of the intoxicating liquor to be sold.

2. No bar for civilian staff should be started without Ministry of Defence (Civilian Management (Welfare)) approval.

### 8012. Licensing Requirements: Bars, Messes and Television Sets

1. In the United Kingdom no excise licence is required for the sale by retail of liquor by any naval canteen, bar, mess or club. Similarly, no excise licence is required to enable non-naval guests to purchase liquor on their own account provided that in each case individual sales are restricted to retail quantities only, i.e., in quantities not exceeding 9.1 litres (equivalent to one case) of wine or not exceeding 20.475 litres, (equivalent to two cases) of beer or cider.

2. No licence from the 'Justices' is necessary for the running of any naval canteen, bar, mess or club.

3. For a function such as a dance, a publican or other trader may be invited to supervise the function and take out any licence which they may need; this is particularly desirable if the function is not being held within a Ministry of Defence establishment but at other premises such as a public hall hired for the purpose.

4. The appropriate authorities abroad should be consulted to ensure that the requirements of local laws and Customs regulations are met.

5. See Chapter 90 concerning the licensing requirements for television sets in HM ships or naval establishments.

### 8013. Sale of Liquor in Bars at Shore Establishments

1. Subject to the discretion of Commanding Officers, spirits (only for consumption on the premises) as well as beers and wines may normally be sold to all ratings, including apprentices, over the age of 18 in all bars, clubs and Social Centres to which they are admitted. No intoxicating liquor is to be sold to or for consumption by those under 18 years of age.

2. Senior Officers authorised to approve the opening of bars ashore (see **8011.1**), guided by the policy communicated to them by the Ministry of Defence are in all cases to make the necessary rules to regulate the sale and consumption of liquor in Service establishments.

#### **8014. Sale of Beer, Wines and Spirits in Senior Ratings' Messes in HM Ships**

Amplification of this Regulation is within BRd 9600 Ch 10 to Ship's General Orders.

1. **Purchases - General.** The purchase of beer, wines and spirits by senior ratings on board HM ships is a privilege. While the drinking of spirits is permissible at sea under normal conditions the Commanding Officer has the authority to prohibit such sales when circumstances dictate, and in particular where the safety of the ship is involved. The Commanding Officer may also limit or stop the purchase of beer, wines or spirits by any individual or a whole mess when they consider it necessary because of any irregularity in the conduct of sales, including the failure to keep proper accounts or in the handling of spirits or when they consider consumption to be excessive or extravagant. The maximum period for which the privilege may be withdrawn is one month although this should be confined to the reasons listed above and not used as a consequential penalty for any other offence.

2. **Individual Bar Accounts.** As in the case of officers (**8112.2**) the bar accounts of individual senior ratings are to be scrutinized at regular intervals by Commanding Officers or officers deputed for this task.

3. **Duty-Free Spirits Bought.** Duty-free spirits bought in messes are not to be given or sold to civilians or junior ratings (*but see 8016 and 8017 regarding canteen staff*) nor must individuals stow or bottle spirits privately.

4. **Sales of Beer.** Sales of beer to Senior Ratings' messes are not to prejudice the arrangements for stowing the authorised ration for Junior Ratings.

#### **5. Ships in which Alcohol may be Sold.**

a. **Duty-Free Alcohol.** Duty-free alcohol may be sold to WOs, CPOs, POs and SNCOs in HM ships abroad and in ships in home waters which are in Category 1 for Customs privileges (BR 1990, Customs and Immigration Regulations for the Royal Navy). For the purpose of the alcohol issue, the category of a ship will be determined in accordance with BR 1990, and application must be made to NAVY LOG INFRA-OPS DFLO RFA for any change of category. In ships in home waters entitlement is limited to senior rates on board for 48 hours or more.

b. **Duty-Paid Alcohol.** Duty-paid alcohol may be sold to WOs, CPOs, POs and SNCOs in HM ships in home waters which are subject to the prior approval of the Fleet Commander or Flag Officer concerned.

6. **Responsibility of Mess President.** The regulations for conduct and discipline in WOs' CPOs', POs' and RM SNCOs' messes are laid down in **8147**. Mess Presidents are responsible for the proper conduct of the bar in their messes and for ensuring compliance with the regulations concerning the consumption and stowage of beer, wines, spirits and minerals and for the maintenance of proper accounts.

They are furthermore responsible for the good order and conduct of mess members and ensuring that a mantra of 'sensible, social drinking without prejudice to the highest standards of the Service' is advocated.

7. **Beer, Wine, Spirit and Mineral Accounts.** Stocks of beer, wines, spirits and minerals and sales to individuals, are to be accounted for in accordance with the rules laid down for Senior Ratings' Beer Funds in BRd18, Management and Accounting Instructions for Non-Public Funds. Accounts are to be inspected weekly by the supervising officer in accordance with para 8017 and monthly by the Commanding Officer, principally as a check on consumption. The Logistics Officer is to be associated with both inspections to check on the accuracy and general conduct of the accounts. Verifying officers for the funds of Senior Ratings' messes are to be appointed at the beginning of each Verification period and are to carry out a progressive verification (BRd18 Ch 11). The Executive Officer is to include this requirement when allocating Secondary Duties amongst the Wardroom.

8. **Supplies of Beer, Wines, Spirits and Minerals to Senior Ratings' Messes.** Except as in Clause 11, all purchases of beer, wines, spirits and minerals by senior ratings' messes are to be made through NAAFI at retail prices. Individual bills are to be settled promptly. Such purchases will be recognised by NAAFI should annual dividend be declared.

9. The kinds of spirit to be sold in Senior Ratings' messes in ships are not to exceed 40 per cent Alcohol by Volume strength. Commanding Officers are to ensure that unsuitable spirits are not stocked.

[SR1]10. **Stowage in Messes.** Each Senior Ratings' mess is to be provided with a secure locked stowage for stocks of canned beer, wines, spirits and minerals. The stowage should be capable of stowing four days' requirements of wines and spirits and at least one day's requirements of canned beer and minerals. The keys of Mess Spirits Stowages are to be treated as 'Important Keys' in accordance with **2914**. Equipment required for dispensing spirits, etc. is to be provided by messes from their own resources. Bottle measures or optic measures are to be used in accordance with the Weights and Measures Act 1985.

[BP2]11. **Bulk of Stocks of Spirits, Wines, Beer and Minerals.** The loading of all wines, beers and spirits for Senior Ratings' messes is to be recorded in the Gangway Wines and Spirits Book held in the custody of the senior member of the Royal Navy Police. Bulk stocks of wines and spirits, in addition to beer for the whole ship's company and, where stowage permits, minerals, will be held centrally on board by NAAFI.

## BRd 2

The Executive Officer is responsible for the security of the bulk wines and spirit stowage. They are to arrange for an officer, or the Officer of the Day, to be present to check the issue whenever the bulk wines and spirit stowage is open. This rule may be relaxed at the Commanding Officer's discretion to allow the Canteen Manager access for reasons other than making an issue of wines and spirits. The Canteen Manager will be responsible for:

- a. Deciding, subject to the Commanding Officer's approval, and within the limitations of Clause 9, on the types, brands and quality of wines and spirits to be carried; in accordance with the general wishes of senior ratings and taking into account stowage space and local availability.
- b. Maintaining an adequate stock.
- c. Maintaining such accounts as may be required by the Customs authorities.
- d. Rendering NAAFI Form 55A (Spirits) to the Commanding Officer at the end of each calendar month.

12. It is a requirement of HM Customs and Excise that there should not normally be any transfer of stocks of duty-free wines and spirits between the canteen and the wardroom (or *vice versa*). If a transfer of stock is essential to meet an exceptional and unforeseen shortage, the quantities transferred are to be kept to a minimum.

13. **NAAFI Spirit Store Keys.** The keys of the NAAFI spirit store are to be classified as 'Important Keys'.

14. **NAAFI Stocktaking.** At the end of each calendar month, an officer nominated by the Commanding Officer is to verify by muster the NAAFI stocks on hand declared by the Canteen Manager on NAAFI Form 55A (Spirits). This form together with the Gangway Wines and Spirits Logs and supporting vouchers are to be made available, on demand, for inspection by HM Customs and Excise. Any discrepancies in stocks should be reported at once to the Customs authorities at [www.hmrc.gov.uk](http://www.hmrc.gov.uk).

15. **Senior Ratings' Mess Purchases.** Warrant Officers', Chief Petty Officers', Petty Officers' and SNCOs' messes may purchase their beer in bulk at retail prices from NAAFI.



**Note.** *In exercising the privilege of buying beer it should be noted that world-wide re-supply arrangements for kegs are not available, and that no special replenishment arrangements will be made by the Ministry of Defence. When received on board the kegs will be under the sole control of the messes concerned, and attention is drawn to BRd18 which requires messes to insure against loss or damage to stock (this includes any containers) which is not carried at the supplier's risk. Messes should be aware that NAAFI does hold the supplier's risk.*

16. **Senior Ratings' Mess Entertainment.** Entertainment in WO's' and CPO's' messes will continue to be governed by **8148**. When in UK ports, duty is to be paid on that alcohol consumed by guests.

**8015. Sale of Beer and Wine to Junior Ratings in HM Ships**

See BRd 9600 Ship's General Orders Chapter 10

1. As in the case of Senior Ratings (**8014.1**) the Commanding Officer has the authority to limit or stop the sale of beer to Junior Ratings when they consider it necessary because of any irregularity by an individual or a whole mess. This authority should not be used as a consequential penalty for any other offence. This authority may be delegated through the Executive and include the Executive Officer, Executive Warrant Officer (or equivalent thereof) or senior Regulating Police staff on board.
2. All beer is to be purchased from NAAFI at retail prices.
3. All mess Beer Bosuns are to sign Terms of Reference in accordance with Ships' General Orders and copies are to be retained by the Senior Royal Navy Police Officer on behalf of the Executive Officer.

**8016. Sale of Beer, Wines and Spirits to United Kingdom Canteen Staff**

1. United Kingdom canteen staff may purchase spirits, wines and beer under the rules applying in the messes in which they are accommodated.

**8017. Purchase of Duty-Free Tobacco in HM Ships**

1. To ensure that HM C&E audit controls are met duty free tobacco on HM Ships is to be sourced through NAAFI. Duty free tobacco is to be sold/purchased on board in accordance with current regulations in accordance with BR 1990. The Executive Officer through the Royal Navy Police is to ensure that the Ship's Company is routinely appraised of the extant regulations with respect to purchase and holdings of Duty-Free tobacco, particularly when visiting the EU or when returning from Deployment.

**8018–8019. Spare****8020. Insurance for Clubs in Service Establishments**

1. Clubs which are located in Service establishments and have facilities for entertaining guests must take out insurance, in the joint names of themselves and the Secretary of State for Defence, against third-party claims for personal injury (including injury resulting in death) and loss of or damage to property. The insurance is to cover all accidents which may be suffered by guests when on Ministry of Defence property for the purpose of visiting a club, as well as within the premises of the club itself. The cost of insurance premiums is to be met from non-public funds.
2. Separate regulations exist for the use of Ministry of Defence land for functions such as motor-racing, karting or motor-cycle meetings, gymkhanas and also for Establishment Open Days, Charity days, Fireworks displays and similar. These regulations are found within JSP 368 and extant DIN08 series.

**8021–8050. Unallocated**



## SECTION III - CANTEENS AND BARS - SELF-RUN SYSTEM

### 8051. Self-Run System

1. A canteen for the sale of goods and non-alcoholic drinks may be established on the self-run system where, owing to the absence of a properly fitted canteen or for any other special reason, it is not possible for the canteen to be conducted by the Navy, Army and Air Force Institutes. NAAFI makes supplies available at special prices and terms to self-run canteens both afloat and ashore, and this source of supply is to be encouraged as NAAFI is the MOD's preferred partner. This also applies to Senior Ratings' messes ashore operating their own bars under the arrangement in **8052**.

2. Goods required for resale in self-run canteens are obtained by direct purchase and the general administration of self-run canteens is undertaken by the Welfare Committee or, in the absence of a Welfare Committee, by the Commanding Officer.

3. **Supervision.** The Commanding Officer is to exercise supervision over the working of the canteen and, where no Logistics Officer is borne, is to nominate an Officer, or a Senior Rating if no Officer is available, as business manager and accountant, who is to be responsible for all purchases, custody of cash and cash transactions in connection with the canteen.

4. **Subsidiary and Non-Public Funds.** The rules as to subsidiary and non-public funds given in Section IV are to be strictly applied to the administration of self-run canteens and early approach made to Base Logistics Staff if in any doubt.

5. **Advances of Public Money.** To enable payment to be made for initial supplies, advances of public money may be made to the Commanding Officer on commissioning under the arrangements laid down in JSP 754 Tri Service Regulations for Pay.6. **Safe Custody of Canteen Stores.** The Commanding Officer should satisfy himself/herself that proper arrangements are made for the safe custody of all canteen stores and that all possible precautions are taken to avoid losses. Frequent careful musters of stock are among the more important precautions necessary and should include a muster by an officer or (in the case of Minor War Vessels only) a suitably experienced senior rate without conflict of interest, at intervals of not more than 1 month.

7. **Liability in Event of Loss or Damage.** Before stocks are received it is very important that the Commanding Officer should obtain from the supplier's precise information concerning the liability of the ship or establishment in the event of loss or damage, either of stock supplied on credit or of stocks paid for but not consumed. In the light of this information, the Commanding Officer should make arrangements, by way of an agreement or by effecting an insurance, to ensure that the ship or establishment is relieved of any liabilities arising from loss or damage that would be beyond its capacity to meet.

### 8052. Self-Run Bars in Chief Petty Officers' Messes Ashore

1. Assistant Chief of Naval Staff (Personnel) and Flag Officer Sea Training within the limits of their areas, and Commandant General Royal Marines, in respect of Royal Marines establishments may approve requests that Senior Rates/Senior Non-Commissioned Officers ashore should run their own bars, subject to the conditions in the clauses following.

However, most establishments are now committed to binding contracts with civilian firms for the management of establishment infrastructure and invariably this includes management of messes which limits, but does not remove, the scope of this regulation.

2. The instructions concerning non-public funds in Section IV and BRd18, *Management and Accounting Instructions for Non-Public Funds*, Appendix A, are applicable.

3. **Opening Hours.** Opening hours are to be subject to the approval of the Commanding Officer.

4. **Wine Merchants.** Messes that are allowed to conduct their own bars may choose their own wine merchants. Sales are to be confined to normal bar items. See **8051.1** on use of NAAFI as a supplier.

5. **Expenditure of Public Funds.** No expenditure of public funds may be incurred in connection with taking over by a mess of any bar previously managed by NAAFI. No equipment other than that already authorized in the regulations may be supplied, and Service personnel may only be employed in running the bar outside normal working hours, and without detriment to their Service duties.

6. **Management.** Messes that may contemplate making a change should bear in mind that NAAFI will be under no obligation to resume management of a bar if the wishes of the mess members change.

7. In the case of a bar run by NAAFI the Corporation's local representative must be given two months' notice in writing if the mess wishes to make a change.

8. **Contractors' Debts.** Members of messes are to declare their liability for any contractors' debts incurred, whether by the mess as a whole, or by one of their number (e.g., the caterer) acting as their agent.

#### **8053–8070. Unallocated**



## SECTION IV - SERVICE FUNDS

### 8071. General

1. A Service Fund is a fund, comprised of money, stock and other assets, which is not the property of the Crown but which is used for the benefit of Service personnel to promote their well-being and efficiency. Non-Service personnel who contribute to the promotion of military efficiency are also entitled to benefit from such funds. The Crown has no liability whatsoever for any loss of cash, or loss or damage to stock or property, belonging to Service Funds. Such funds enjoy charitable status (so long as they are used solely for the benefit of those entitled beneficiaries as above) and, are subject to the regulations of the Charities Act 2006.

2. Service Funds are not private; they are official funds and their proper conduct is an integral part of the fabric of discipline and administration of the Royal Navy. Official support may therefore be provided for the maintenance, regulation and auditing of non-public funds. In circumstances where official support cannot be provided, the Commanding Officer may, in fulfilling the duties of Sole Managing Trustee, require the funds to be audited by a professional civilian accountant. The cost of such audits is not admissible as a charge against public funds but is an acceptable charge to the fund being audited.

3. **Non-Publicly Funded Activities.** The Ministry of Defence generally accepts no legal liability for activities of Service personnel assigned responsibility for activities which are wholly funded by Non-Public Funds. A Commanding Officer is therefore to ensure that such activities have the requisite commercial insurance cover set out in single Service regulations.

4. The Commanding Officer is the sole managing trustee of all Service Funds existing for the benefit of the personnel under his/her command and as such he/she is ultimately responsible for ensuring that:

- a. Each fund confines itself to its activities and expenditure for the purpose for which it was instituted.
- b. The finances are managed to the maximum advantage of the beneficiaries.
- c. The law as laid down in the Trustees Investments Act 1961 is observed as far as investments are concerned.

### 8072. Regulations for the Conduct of Service Funds

1. Regulations for the conduct of Service Funds, together with accounting and audit advice are contained in BRd18, *Management and Accounting Instructions for Non-Public Funds*.

### 8073. Duties and Responsibilities

1. All those involved in the administration of Service Funds are to be fully conversant with their duties and responsibilities, as detailed in BRd18, *Management and Accounting Instructions for Non-Public Funds* or AC 60450, *Service Fund Regulations*, for Royal Marines.

**8074. Inspection of Accounts**

1. A list of Service Funds authorised by the Commanding Officer or administrative authority is to be kept as an article in the Commanding Officer's Standing Orders. At inspections this is to be produced for the scrutiny of the inspecting officer, together with the accounts of the funds listed and of the Wardroom funds and the Ship's Welfare Fund.

**8075. Service Funds on Paying-Off**

1. On paying-off, the Commanding Officer is to ensure that proper arrangements have been made for the disposal of all Service Funds, in accordance with the instructions contained within BRd18, *Management and Accounting Instructions for Non-Public Funds*.

**8076. Guidance to Trustees**

1. The Charity Commission for England and Wales exists to offer advice and guidance on the correct administration of Service Funds. Their view should be sought whenever a trustee needs to clarify whether a particular activity of a Service Fund, or the beneficiaries of that activity, lies within the bounds of the Charities Act 2006.

2. Enquiries should be directed to The Charity Commission for England and Wales, Woodfield House, Tangier, Taunton, Somerset TA1 4BL. Telephone: 0870 333 0123. Fax 01823 345003. General Helpline 0300 066 9197. Website – [www.charitycommission.gov.uk](http://www.charitycommission.gov.uk)

## CHAPTER 81

### MESSING AND ACCOMMODATION

(MOD Sponsors: NAVY PEOPLE-TRG-HQ N9 EXEC FXO)

This chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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## CHAPTER 81

### MESSING AND ACCOMMODATION

#### SECTION I - MESSING OF OFFICERS

##### **8101. Table of Flag Officer**

1. The table of the Flag Officer or Commodore shall be considered as the regulated place for the daily entertainment of the Chief of Staff, Captain of the Fleet, Captain of the Ship, Secretary, and such officers composing the staff of the Flag Officer or Commodore as they may think fit to receive, when they are actually resident on board.
2. When the table of the Flag Officer or Commodore is not kept on board those officers must make the necessary arrangements for messing on their own account.

##### **8102. Table of Captain**

1. With the exception of Flag Captains, Captains in command are to keep a separate table. Commanders in command are also to keep a separate table in ships where a separate mess is provided for the officer in command. Where a separate mess is provided a Lieutenant-Commander in command may keep a separate table if desired, but no additional domestic staff can be provided for this purpose.

##### **8103. Wardroom Mess and Officers' Messes**

1. All other officers, including members of the Royal Corps of Naval Constructors serving at sea and Midshipmen, other than those serving in certain training establishments and colleges at home and undertaking Initial Fleet Time, are to belong to, and to mess in, the Wardroom or Officers' Mess where such a mess is available.
2. Personnel of Royal Marines Commandos accommodated in HM Ships or Establishments should be borne for victualling in the same way as RN and other RM personnel, and officers should pay the normal messing charge in the mess.
3. Officers taking passage or temporarily embarked are to be messed in the wardroom mess of that unit making a proportionate contribution to messing fees as agreed with the mess president.
4. Every Officer is to be a member of a Wardroom or Officers' Mess at their place of duty, where such a mess is available. It is not in the spirit of these regulations for an Officer to not belong to a mess for any period greater than one month.

##### **8104. Conduct of Officers' Messes**

1. The Commanding Officer is to take care that the Wardroom or Officers' Mess is conducted in an orderly manner, and so economically as to be within the means of every member. If they should discover that excess, extravagance, or irregularity has occurred, either in the case of any mess generally or in that of individual officers, they are to give such directions as they may think proper in order to prevent a repetition of it and, if necessary, report the matter to the Fleet Commander.

## BRd 2

2. Wardroom and Officers' Messes traditionally accept liability for any debts incurred by their private contractors, whether by the mess as a whole or by one of their number acting as their agent.

### 8105. President of the Mess and Mess Committee

1. **President.** The President of the Wardroom or Officers' Mess shall be the officer appointed as Executive Officer, or Second in Command for Officers' Messes in the Royal Marines. Thereafter, the Senior Officer of Commander's rank or below borne for ship's duties (that is, not additional or for staff duties) shall be the Vice-President and shall act for the president in their absence or equivalent for Royal Marines.

2. **Mess Committee.** Each mess is to be regulated by a Mess Committee comprising the Mess President as Chairman and at least three elected mess members. The various treasurers, caterers and mess officials may be added either as members or in an advisory capacity, as messes may decide. The Vice-President need not be included. The Logistics Officer (if not already a member by virtue of election or mess office) is to be a member, so that they may adequately discharge their responsibilities to their mess mates and their department under **1209**. If the mess should fail to elect representatives to the committee, the heads of departments shall replace the elected element of the committee and shall be responsible for the proper management of the mess.

3. **Responsibilities.** The internal economy of each mess is to be conducted by the committee, but all irregularities are to be checked by the president or, in their absence, the senior officer present and if necessary are to be reported to the Commanding Officer.

### 8106. Closing of Bars and Pantries

1. The bars and pantries in Wardroom and Officers' Messes are to be closed, at sea and in harbour, at 2300. No refreshments are to be served after this time without the express permission of the Mess President (or, in their absence, the Vice-President).

2. The Wardroom bar is to be closed as directed by the Commanding Officer or Mess President, in accordance with the alcohol state in force.<sup>1</sup>

### 8107. Advances to Messes

1. Upon the first formation of a Wardroom or Officers' Mess of a seagoing ship the Logistics Officer, with the Captain's approval, is to make an advance from the public money to the mess not exceeding £10 for each member. For supernumeraries the advance is not to exceed the proportion due for the time they will probably remain in the ship.

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<sup>1</sup> BR 9600 Ships' General Orders Ch10

2. This advance is to be considered as a loan to assist the mess in laying in its first supplies and the Logistics Officer is to recover it within six months by equal monthly instalments from the mess, but not from individual officers.

#### **8108. Extra Messing Charge**

1. An Extra Messing Charge (EMC) may be made in Wardroom or Officers' Messes. It is to be decided by the Wardroom or Officers' Mess Committee but is not to exceed 75 per cent of the Daily Messing Rate. There is not to be any differential rate of EMC levied to visiting entitled personnel. JSP456 Vol 1 Ch7

#### **8109. Limit to Mess Bills**

1. The Commanding Officer is to limit or stop any mess bills which they may consider excessive or extravagant, having regard to the description of alcohol consumed and the amount of hospitality exercised.

#### **8110. Restrictions on Sale of Alcohol, etc.**

1. Except with the special sanction of the Commanding Officer, no wine, spirits or beer is to be sold to or exchanged with any person not belonging to the mess for which it was obtained, nor are they to be given away to any person except to a guest for consumption on board.

2. Spirits on which duty has not been paid are not to be issued in bottle to any officer or other person. Duty-paid spirits are not to be issued in bottle without the permission of the Commanding Officer.

#### **8111. Payment of Mess Bills**

1. **Commanding Officer's Responsibilities.** The Commanding Officer is to see all mess bills monthly as part of their monthly books and should be settled in accordance with individual units Mess Bill Recovery Policies.

2. **Private Cheques.** The mess committee may also arrange, at their discretion and subject to such limits as they may prescribe, for the cashing of officers' private cheques from mess funds for which they are responsible, on the understanding that the members of the mess as a whole assume all financial responsibility in connection with such transactions. See also BR 18, *Management and Accounting Instructions for Non-Public Funds.*

3. **Debts.** The President of the Mess is to ensure that all debts are settled before individuals or Mess Members depart the Ship or Unit. Every effort is to be made to recover all outstanding debts including the intervention of the Commanding Officer where this is deemed necessary. Any debts considered beyond recovery are to be approved by the Mess Committee for 'write-off' as a bad debt, or individuals pursued through the Small Claims Court.

## BRd 2

4. **Officers' Misconduct.** If an officer being sent home from abroad on account of misconduct and borne for victuals only is unable to pay his/her mess bill, the Logistics Officer may make payments to the mess on his/her behalf, such payments being charged against the officer on his/her pay account.

5. **Deserters.** The balance of pay of a deserter, other than money which should have been paid, but was not paid, on the last regular pay day prior to desertion, cannot be appropriated for payment of mess bills. If it should be considered desirable to recover a mess debt from the proceeds of the sale of the deserter's effects, prior Ministry of Defence sanction must be obtained. (See *also* Chapter 55, Section II on debts of deceased officers.).

### 8112 Suppliers Accounts

1. Stock, sales, cash and messes suppliers accounts are to be kept as provided in BR 18, *Management and Accounting Instructions for Non-Public Funds..* Accounts are now completed through the SAGE accounts system which should be available to be produced whenever called for by a competent authority.

2. The Commanding Officer is to inspect mess suppliers accounts when presented with the SAGE accounts on a monthly basis. The Commanding Officer is to initial it to show that they have examined the accounts. See **8109** on power of Commanding Officer to limit or stop mess bills. Messes suppliers accounts in Fleet establishments need not be inspected.

3. When a ship is inspected a statement of the condition of the supplier account is to be produced with the SAGE accounts and the Gangway Wine and Spirits Books, to enable the inspecting officer to ascertain that the regulations relating to the suppliers accounts have been complied with.

### 8113. Spare

### 8114. Casual Meals in Other Naval Messes

1. Instructions on casual meals in other naval messes will be found in JSP 456 Vol 2 Ch 5, Defence Catering Manual.

### 8115–8130. Unallocated



## SECTION II - CABINS

### 8131. Allocation of Cabins

1. The allocation of officers' cabins in Her Majesty's Ships is to be governed by the following clauses. The issue is one which is both emotive and potentially divisive – early engagement with personnel will help manage expectations and ensure fairness to all according to seniority and role.

#### 2. Flagships.

a. Named cabins are to be appropriated for the Flag Officer.

b. Staff officers are to be allocated cabins in order of seniority, together with ship's and aviation officers as in paras 5 and 6, though the aspiration should be to provide single cabins to staff SO1s/OF5s, and then comparable accommodation for remaining staff officers.

c. When Flagships are employed as private ships, the cabins in (a) and (b) may be occupied by other officers by seniority at the Commanding Officer's discretion but must be vacated immediately they are required by a Flag Officer and their staff.

3. **All Ships.** Named cabins will be shown on the ship's drawings for the officers who are appointed to perform the following duties in Destroyers and Frigates and below:

Commanding Officer	Weapons Engineer Officer
Executive Officer	Logistics Officer
Operations Officer	Marine Engineer Officer
Principal Warfare Officer	Navigating Officer
Flight Commander	

4. **Capital Ships.** Named cabins will be shown on the ship's drawings for the officers appointed to perform the following duties in Capital Ships:

	LPDs	LPH	QEC
Commanding Officer (See Note)	*	*	*
The Commander	*	*	*
Commander Weapon Engineer	*	*	*
Commander Marine Engineer	*	*	*
Commander Logistics	*	*	*
Commander Air Engineer Officer			*
Commander Air (see Note)		*	*
Senior Warfare Officer			*
Operations Officer	*	*	*
Medical Officer	*	*	*
Chaplain	*	*	*
Commander, Landing Force	*		

	LPDs	LPH	QEC
Commander Amphibious Task Force	*		
Amphibious Operations Officer	*	*	
Air Operations Officer		*	
OC ASRM		*	
Commanding Officer, Embarked Force	*	*	*
First Lieutenant	*	*	*
Navigating Officer (see Note)	*	*	*
Principal Warfare Officer	*	*	*
Senior Weapon Engineer Officer	*	*	*
Senior Marine Engineer Officer	*	*	*
Senior Air Engineer Officer		*	*
Senior Logistics Officer / Deputy Cdr L	*	*	*
Lieutenant Commander Flying (see Note)		*	*



**Note.** For most Capital Ships, those indicated will be entitled to a named cabin in both the main officers' accommodation complex and within the island superstructure.

5. **Submarines.** Named cabins will be shown on the ship's drawings for the officers who are appointed to perform the following duties in Submarines.

a. **Trafalgar Class:**

The Commanding Officer  
(In twin cabin) The Executive Officer and Weapon Engineer Officer  
(In twin cabin) Marine Engineer Officer and Deputy Marine Engineer Officer

b. **Astute Class:**

The Commanding Officer  
(In twin cabin) The Executive Officer and Weapon Engineer Officer  
(In twin cabin) Marine Engineer Officer and Deputy Marine Engineer Officer

c. **Vanguard Class and Successor Class:**

The Commanding Officer  
The Executive Officer  
Marine Engineer Officer  
Weapon Engineer Officer

6. **Complement Officers.** Remaining complement Officers should be allocated cabins in accordance with their Rank and Seniority and the following consideration:

a. Officers regularly employed on watchkeeping duties both at sea and in harbour are to take precedence over other officers of the same rank in so far as this may be necessary to provide them with single cabins if these are available.

b. In Destroyers and Frigates where junior engineers and logisticians are often referred to as 'Deputy HoD', this nomenclature shall not infer special privilege with respect to cabin allocation and the Mess Manager should allocate cabins in normal precedence of seniority and watchkeeping requirements.

c. Local discretion is afforded to Mess Managers to allocate cabins as required to non-watchkeeping personnel or aircrew.

#### **7. Embarked Air Squadrons/Flights**

a. Guidance in this section has been approached from a point of aircraft and aircrew safety to ensure aircrew are suitably rested so that they can be available as required to the Command to undertake flying duties.

b. In ships that carry embarked Squadrons and Allocated Flights an appropriate number of cabins should be shown on the ship's drawings specifically for aircrew; These are in addition to cabins appropriated for Squadron Commanders and Flight Commanders. These additional cabins are to be allocated such that pilots and observers borne for full operational flying duties are to have precedence in so far as necessary to provide them with such single cabins as are available.

c. Therefore:

(1) In Type 45 Destroyers nominated Flight Aircrew are to be provided with single cabins.

(2) In Type 23 Frigates the Flight Commander (Wildcat and Merlin Flights) is to be provided with a single cabin.

(3) In a Type 23 Frigate with a Wildcat Flight, the other aircrew (pilot/observer) should be provided with a single cabin but if not possible then a 2 berth cabin is the minimum acceptable, provided the utmost consideration is given to avoiding sharing with any officer borne for regular Watchkeeping Duties.

(4) In a Type 23 Frigate with a Merlin Flight, the other 2 aircrew should be accommodated in a 2-berth cabin, preferably one in which the computer terminal has been EHUDs integrated.

d. When the Squadrons/Flights are disembarked their cabins may be temporarily occupied by other officers, with the Executive Officer's permission, but must be vacated immediately prior to them being required again.

e. In ships where P2/O2s are borne for consolidation training, careful consideration should be given, so far as practicable, as to their accommodation in order to avoid watchkeeping personnel disturbing their sleep patterns on a regular basis. The Flight Commander should monitor their sleep patterns to make sure they are suitably rested before being charged with flying duties.

**8. General**

- a. Executive Officers must ensure, wherever possible, that suitable accommodation, commensurate with rank, is provided for all officers.
- b. Multiple occupancy cabins must be allocated as single sex accommodation.
- c. An officer allowed by complement is normally to take precedence in cabin accommodation over visiting staff or an officer of whatever rank who is appointed additional (i.e. training billet). The Commanding Officer may, however, make an exception in cases where officers are appointed additionally to perform some special and/or important duty.
- d. An officer who elects to occupy a cabin to which they are not normally entitled is to do so on the clear understanding that if required to vacate it they must take such other cabin as may then be vacant in order to cause the minimum of disturbance to other officers.
- e. An officer borne in lieu of one of a higher or lower rank is to be considered for cabin accommodation in respect of their actual rank.
- f. In exceptional circumstances, Executive Officers may utilize unused Senior Rate accommodation for officers.
- g. In allocating cabins, the Executive Officer should take into account the desirability of some dispersal of officers to reduce the effect of war or other damage.
- h. The Executive Officer is at liberty to retain one cabin for the use of officers without cabins who may be sick.
- i. In allocating cabins for Royal Marine officers, due regard shall be had for the additional items of kit which may be carried.

**8132–8140. Unallocated**

### SECTION III - MESSING OF THE SHIP'S COMPANY

#### 8141. Accommodation and Messing of Ship's Company, Commandos and Equivalent Units

1. **Afloat.** The minimum current accommodation standards are summarized as follows:
  - a. Warrant Officers (RM 1<sup>st</sup> Class) - single cabins.
  - b. RM Warrant Officers 2<sup>nd</sup> Class – 2 or 4 berth cabins (may be allocated single cabin if available in excess of WO1 allocation).
  - c. Senior Royal Naval Police Officer or Coxswain – Single berths where their unit Commanding Officer deems it necessary to conduct their duties, otherwise 3 berth cabins.
  - d. Chief Petty Officers and Staff Sergeants - 4 berth cabins.
  - e. Petty Officers and Sergeants - 6 berth cabins.
  - f. Junior ratings, Corporals, Lance Corporals and Marines - separate bunk spaces.
2. Warrant Officers and Senior Ratings are provided with separate recreation and dining spaces, Junior ratings are provided with separate dining facilities and either separate recreation areas or recreation areas near their bunk spaces.
3. If possible, comparable accommodation should be made available for embarked staff senior and junior ratings and other ranks, including the provision of a mess square for the junior ratings/other ranks on the combined staff.
4. Personnel from the other Services are to be messed and accommodated with their relative ranks/ratings as laid down in **J.0381** and **J. Table3-1**.
5. **Ashore.** Current accommodation scales are contained in **JSP 315, Services' Accommodation Code**.
6. In ships and shore establishments where the strict application of the above regulations is not found to be practicable, the rules contained in this article should be applied so far as the accommodation provided allows. Commanding Officers are to use their discretion in the allocation of messes so that the accommodation available in the ship or establishment is always used to the best advantage. So far as practicable, moves of accommodation should be managed to minimise disruption to individuals.
7. In ships with limited accommodation a strict order of seniority shall be applied when allocating accommodation except that an EWO or BWO shall have precedence over all other WO1 and a Service Policeman shall have precedence over other ratings of a similar rate.

#### 8142. Victualling

1. Instructions on the different systems of victualling for the ship's company are given JSP 456, Defence Catering Manual Vol 1-4.

**8143. Meal Hours**

1. Adequate time must be set aside for meals to be taken; the actual time allowed for each meal being arranged by the Commanding Officer according to circumstances.
2. In ships on general messing, the Commanding Officer is to arrange for an officer to visit all dining halls (or mess decks where meals are taken) during mealtimes to see whether there are any complaints; such officer should ordinarily be the Officer of the Day. The Executive Officer, Logistic officers and senior rate caterers should also routinely visit the servery area during mealtimes. The duty chef is to be readily available to deal with any complaints about food and a catering services complaints log should be readily available to members of the ship's company.
3. Royal Navy Police and Coxns should routinely patrol mealtime queues onboard ships in order to ensure that personnel are not taking meals at incorrect times, especially those not entitled to attend 'watch keepers' mealtimes.

**8144. Watchkeepers**

1. Subject to the internal organisation of the ship, the middle watch in CBRNDC State 3 at sea and long first and/or middle watchkeepers in harbour may be permitted additional time to rest and refresh post their watch. Further guidance is available in BRd 9600, Ships' General Orders.

**8145. Warrant Officers' and Senior Rates', and Senior Non-Commissioned Officers Messes**

1. Every Warrant Officer and Chief Petty Officer is to be a member of a Warrant Officers' and Chief Petty Officers' mess or combined Senior Rates' mess at their place of duty, where such a mess is available. Every Petty Officer is to be a member of a Petty Officers' mess or combined Senior Rates' mess at their place of duty, where such a mess is available. In exceptional circumstances Commanding Officers have discretion to exempt WO's CPO's and PO's from mess membership or to allow them to hold membership at an alternative mess, should use of the mess be proved to be impracticable for an individual. Similarly, when a WO, CPO or PO is accommodated in a ship or establishment different from his/her place of duty, and messes exist at both places, consideration should be given to waiving or reducing subscriptions depending on the circumstances, so that the total amount paid by the rating is not excessive.
2. All mess members are to pay monthly mess subscriptions as determined by the mess committee and as stated in the mess rules. When WOs, CPOs and POs are temporarily detached from their normal place of duty, they will become temporary or honorary members of their respective messes at that temporary place of duty. Temporary members are those who are detached from their parent unit for periods of more than 14 days and are to pay subscriptions at their temporary place of duty. For periods up to 14 days, honorary membership is to be granted, with mess subscriptions being paid at the normal place of duty.
3. Honorary mess members may be subject to a temporary mess fee charge at their temporary messes and in such circumstance they should expect to pay the same pro rata daily subscription as a full mess member.

This should be recovered via their parent mess, submitting a receipt of expenses occurred as appropriate. JPA is not to be used to claim this expense. Mess members returning from visits should not expect to be reimbursed any more than they subscribe at their normal place of duty.

4. The Commanding Officer, through the Executive Officer, is to take care that Warrant Officers' and Chief Petty Officers' messes and Petty Officers' messes are conducted in an orderly manner and so economically as to be within the means of every member. If he/she should discover that excess, extravagance or irregularity has occurred, either in the mess generally or on the part of individual members, he/she is to give such directions as he/she may think proper in order to prevent a repetition.

5. Each mess is to have a set of rules governing the conduct and management of the mess. These rules are to be approved by the Commanding Officer who is to enforce them through the Executive Officer in the interests of good order and discipline.

6. The Commanding Officer is to nominate an officer, termed the Supervising Officer, to exercise supervision on their behalf, through the Executive Officer, of standards and practices within the mess. The Supervising Officer is to pay particular attention to the order, discipline, morale and administration of the mess, and is also to supervise the mess fund in accordance with **8071**.

7. The Executive Warrant Officer (EWO) at sea and the Base Warrant Officer (BWO) ashore will, by virtue of their position and status, be the mess President subject to approval by the Commanding Officer. Where these posts do not exist and for Petty Officers' messes, the mess is to have a President who is elected by the mess and approved by the Commanding Officer. The President is to have disciplinary authority over all other members of the mess, regardless of their seniority, in all matters concerning the proper administration of the mess. He/she is accountable through the Supervising Officer and the Executive Officer to the Commanding Officer for the maintenance of good order, discipline and proper administration within his/her mess. He/she shall have the authority to debar any member of the mess from using the amenities and bar facilities provided, where the conduct of any member has made this measure necessary. He/she is not to hold in addition the office of secretary or treasurer of the mess.

8. The Commanding Officer may authorize the President to delegate day-to-day running of the mess and chairmanship of the mess committee to a nominated senior rate termed as the Chairman of the Mess Committee (CMC). The elected Vice President may also fulfil this role.

9. The Commanding Officer may authorize the President to delegate the day-to-day administration of the mess to a nominated senior rating, or person employed directly, who will be termed the Mess Manager.

10. The Secretary and Treasurer of the mess may be either appointed by election or, if in the best interests of the mess, employed directly subject to the Commanding Officer's approval. These offices are normally to be held by separate persons, but may be combined with the Commanding Officer's approval, and may in addition be held by the Manager. BR 18, *Management and Accounting Instructions for Non-Public Funds*., gives detailed guidance on the Treasurer's functions.

## **BRd 2**

11. Each mess is to be regulated by a mess committee comprising the President or CMC and at least three elected members. The Secretary, the Treasurer and the Manager shall be added, as members, or in an advisory capacity as the mess may decide.

12. The internal economy of each mess is to be conducted by the committee, but all decisions are to be ratified by and irregularities investigated by the President and if necessary are to be reported to the Executive Officer through the Supervising Officer.

13. The rules for bars in Warrant Officers' and Senior Ratings' messes are contained in Chapter 80 and BR9600 Ch 10, Ship's General Orders.

14. All new members joining the mess are to make themselves known to the President at the earliest opportunity. They are to be inducted into the mess by the Mess Manager, at which time they are to make themselves fully conversant with the mess rules. The Mess Manager is to ensure that the mess membership register is kept up to date ensuring a close liaison with the joining/leaving sections of the Ship's Office/UPO. Any Senior Rate that has the Commanding Officer's approval to pay mess fees elsewhere is to sign to that effect in the Mess Treasurer's records.

15. The standard of Warrant Officers' and Senior Rates dress is to be high at all times. The general standards of acceptable dress in messes are in the following paragraphs.

16. **Formal Dress.**

- a. All formal functions will be in Mess Dress or 1C, or RM/Army/RAF equivalent.
- b. Civilian male guests will wear black ties and Dinner Jackets.
- c. Ladies attending will require a dress to complement the occasion worn below the calf length.

17. **Informal Dress.**

- a. Lounge Suit or Jacket worn with slacks, shirt, tie and shoes with socks.
- b. Ladies attending will require a dress to complement the occasion worn below the knee. Dress trousers or trousers suit is acceptable.
- c. Slacks with shirt, tie and shoes with socks (planters – as directed by the President).

18. **Casual Dress.**

- a. Any smart type of trousers may be worn in the mess, with or without a belt. Denims may be worn but at the discretion of the Mess Committee. Shoes, with or without socks, are to be worn in the mess.
- b. Shirts/blouses with collar attached or polo shirts may be worn, this includes shirts with short sleeves. Designer shirts/blouses may be worn outside trousers. Sweaters may be worn over shirts/blouses. Suitable dresses and skirts may be worn by female personnel as required.



- c. On nominated days, when there are no official functions in the mess, members may 'dress down' in the bars. This includes jeans and T-Shirts. (Any type of sports rig is NOT acceptable).
  - d. During hot weather dress shorts and shirts/blouses may be worn with deck shoes or dress sandals. (Socks optional).
  - e. By 2000 hrs daily mess members are to wear presentable civilian clothes in the public areas of the mess.
19. All guests using the Mess must comply with these dress regulations.
20. **Unacceptable Standards in the Mess**
- a. Training shoes are not to worn in the Mess.
  - b. No sports rig is to be worn in the Mess (except for Physical Trainers PT A rig). The only exception is when briefly calling at the mess for refreshment.
  - c. Muddy clothing, footwear and overalls (except Flying Coveralls) are not permitted.
21. Casual dress in the mess may not be worn when an official function is taking place.
22. If upon dissolution of a Mess there remains after the satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid to or distributed among the members. This shall be given or transferred to such other Institution or Institutions having objects similar to the objects of the Mess as may be determined by the members at or before the time of dissolution subject to current Service regulations.

#### **8146. Unallocated**

#### **8147. Entertaining by Senior Ratings' and Senior Non-Commissioned Officers Messes**

- 1. Commanding Officers' may grant permission for Senior Ratings' messes to hold a reception on board in special circumstances (e.g. to return hospitality extended to the mess). Such receptions are normally to be held in the Senior Ratings' messes but, at the Commanding Officer's discretion, may be held elsewhere on board, including the Quarterdeck or Flight Deck, if there are special reasons for doing so.

**8148. Junior Rates and Other Ranks Messes**

1. The Commanding Officer is to nominate an Officer and a Senior Rate, termed the Junior Rates'/Other Ranks' Mess Supervising Officer and Senior Rate/SNCO respectively, to supervise all Junior Rates'/Other Ranks' Messes in HM Ships. The Supervising Officer, assisted by the Senior Rate, is to exercise supervision on the Commanding Officer's behalf, through the Executive Officer, of standards and practices within the mess. The Supervisors are to make frequent visits to the mess, paying particular attention to the order, discipline and morale of the mess.

2. With the exception of 8149 below, the Commanding Officer is to nominate a Leading Hand/Corporal and Deputy Leading Hand/Corporal of each mess. This authority may be delegated to the Executive Officer and exercised via the Executive Warrant Officer or equivalent thereof. Under no circumstances is a Leading Hand/Corporal of a mess to be allocated without the approval of either the Commanding or Executive Officer. They are to exercise the day-to-day supervision of the mess on the Commanding Officer's behalf, through the Executive Officer, for all standards and practices within the mess.

3. In addition to para 2 above, where practical and at the discretion of the Commanding Officer, a separate Leading Hands' or Corporals' mess may be formed. Every Leading Hand/Corporal is to be a member of a Leading Hands'/Corporals' mess or equivalent at their place of duty, where such a mess is available. In exceptional circumstances, Commanding Officers have discretion to exempt Leading Hands/Corporals from mess membership or allow them to hold membership at an alternative mess, should the use of the mess be proved impracticable for an individual. Similarly when a Leading Hand/Corporal is accommodated in a ship or establishment different from his/her place of duty, and messes exist at both places, consideration should be given to waiving or reducing subscriptions depending on the circumstances, so that the total amount paid by the rating is not excessive.

4. Where applicable, all Leading Hands/Corporals are to pay monthly mess subscriptions as determined by the Mess Committee and as stated in the mess rules. When Leading Hands are temporarily detached from their normal place of duty, they will become temporary or honorary members of their respective messes at that temporary place of duty. Temporary members are those who are detached from their parent unit for periods of more than 14 days and are to pay subscriptions at their temporary place of duty. For periods up to 14 days, honorary membership is to be granted, with mess subscriptions being paid at the normal place of duty.

5. The Supervising Officer is to supervise the mess fund in accordance with 8071.

6. Each Leading Hands'/Corporals' mess is to have a set of rules governing the conduct and management of the mess. These rules are to be approved by the Commanding Officer who is to enforce them through the Executive Officer/Second in Command in the interests of good order and discipline.

7. Each Leading Hands'/Corporals' mess is to be regulated by a Mess Committee comprising the President or Chairman of the Mess Committee and at least three elected members who are approved by the Commanding Officer. The Secretary and the Treasurer and the Manager shall be added, as members, or in an advisory capacity as the mess may decide.

8. The Commanding Officer, through the Executive Officer, is to take care that Leading Hands'/Corporals' messes are conducted in an orderly manner and so economically as to be within the means of every member. If he/she should discover that excess, extravagance or irregularity has occurred, either in the mess generally or on the part of individual members, he/she is to give such directions as he/she may think proper in order to prevent repetition.

#### **8149. Single Junior Rate / Other Rank Messes Afloat**

1. Where there is only provision for one Junior Rates' Mess in HM Ships the Commanding Officer may, at his/her discretion, authorize the running of that mess through a President and Committee.

2. Irrespective of a combined mess arrangement, and the establishment of a President and Mess Committee, all Leading Hands and Corporals continue to exercise a responsibility for the maintenance of good order and discipline and should support the Mess President in so doing.

3. In units such as Type 45 destroyers, where there is a single recreational mess but several, separate accommodation areas, Commands may direct there to be a Leading Hand/Corporal to be in charge of each accommodation area or complex and may further nominate additional Supervising Officers and Supervising Senior Rates/SNCOs.

#### **8150-8160. Unallocated**

**SECTION IV - VISITORS AND PASSENGERS - ENTERTAINMENT AND HOSPITALITY**

**8161. Visitors and Passengers - Entertainment and Hospitality**

1. Visitors and Passengers onboard Her Majesty's Ships should be afforded an appropriate level of hospitality for their general comfort and safety for the duration of their passage. Whereby the Commanding Officer should ensure that any guests are granted recreational access to the appropriate mess for their status it is accepted that on occasion austere accommodation may be required dependent upon local capacity. Each guest(s) should be individually assessed with regards to status and duration of embarkation with the displacement of permanent Ship's Company only being considered as a last resort. In any event, all guests should be treated such that they are adequately attended to maintain the good standing and reputation of the Royal Navy. JSP 462 Chapter 15 should be consulted for the financial arrangements and protocols relating to 'Visitors and passengers - entertainment and hospitality'.

2. All visitors and passengers are to receive a full safety brief on joining a unit and should be allocated a point of contact to act as their mentor or chaperone whilst onboard; a more encompassing induction process may be appropriate for longer stays onboard. Depending upon the nature of the visitor or passenger, every effort should be made to permit such visitors or passengers to witness as much of Naval life as is safe and practicable. The safety of such individuals should be paramount throughout their stay onboard.

3. Visitors and Passengers onboard should be notified to Fleet Executive Officer in accordance with BRd 9467 (Fleet Administrative and General Orders) Chapter 6.

**8162- 8180. Unallocated**

## SECTION V - OFFICIAL RESIDENCES AND MARRIED QUARTERS

### 8181. General Regulations

1. All rules and regulations as they affect both Single Living and Service Family Accommodation are subsumed and detailed within Joint Service Publication 464 (Tri Service Accommodation Regulations) which is to be considered the definitive document and which is administered by the Defence Infrastructure Organization (DIO).
2. All the regulations which may be laid down in Joint Service Publication 464, or from time to time elsewhere, as to furniture, fuel, repairs, and other matters, are to be observed by the occupants of official residences and quarters.

### 8182. Financial Arrangements

1. Instructions on the charges associated with the occupancy of married quarters are given in Joint Service Publication 754, Tri-Service Regulations for Pay.

### 8183. Employment of Aliens

1. No alien of any nationality shall be employed in any capacity by any member of the Naval Service who is resident in a naval establishment in the United Kingdom, without the prior permission of the Ministry of Defence being obtained.
2. Application for such permission is to be made to the Ministry of Defence through the usual channels and is to state the residence of the applicant and give full particulars of the alien including name, nationality, any alien's registration number already allocated in the United Kingdom, date and place of birth, residence and approximate date of arrival in the United Kingdom.
3. A further application for retention of the alien must be submitted if the applicant is transferred to another appointment involving residence in a naval establishment.
4. Prior permission of the Ministry of Defence is not required if the person is not resident inside a naval establishment, but particulars of the alien, as given in Clause 2, are to be reported to the Ministry of Defence. In all circumstances details are to be forwarded to the Personnel Security Agency.
5. At British ports abroad, aliens may be employed subject to the approval of the Senior Officer present.

### 8184–8190. Unallocated

## SECTION VI - PRIVATE ACCOMMODATION

### 8191. Permission to Live in Private Accommodation

1. **Authority.** Subject to the prior approval of their Commanding Officer, single and married unaccompanied personnel who are serving in shore establishments at home or overseas may be allowed to live out in private accommodation. In order to minimize administration, a Commanding Officer shall be deemed to have granted such permission by exception and by virtue of an individual's joining routine when he/she shall have declared their intent to live onboard or ashore. The exceptions where a Commanding Officer must be consulted and where the default situation is to live onboard are in cases of:

- a. All personnel under 18 years of age.
- b. Personnel under initial training (although this restriction may be waived at the Commanding Officer's discretion).

2. Commanding Officers may also withhold permission to live out in the following circumstances:

- a. When an individual's general conduct (during the preceding three months) has been unsatisfactory.
- b. When operational or special requirements dictate.

3. **Compassionate Cases.** Sympathetic consideration is to be given to compassionate cases where personnel who might otherwise be required to live onboard wish to live out locally with their next-of-kin or dependant.

4. **Withdrawal of Permission.** Commanding Officers have discretion to withdraw permission that has been given to live out when it is clear that, as a result of living out, an individual's conduct brought, or might bring, the Service into disrepute or lead to a deterioration in discipline or efficiency. See also paragraph 11.

5. **Living Out Option.** Personnel opting to live out in private accommodation when public accommodation is provided for them, are solely responsible for their own leases, payments of rent, etc, and for any penalties, financial or otherwise, which may arise if leases or other agreements have to be prematurely terminated for Service reasons, e.g. on drafting elsewhere, attendance on courses, training, or for operational reasons. For this reason, it is advisable to include in any tenancy agreement, a Service clause which will allow a break at short notice, including termination of any lease.

6. **Vacation of Public Accommodation.** Personnel wishing to exercise their option to vacate public accommodation must give a minimum of 21 days notice of this intention. Reasonable notice of voluntary re-occupation of public accommodation must also be given.

7. **Retention of Public Accommodation.** Those living out may not retain rooms or bunk-spaces in their establishment but are allowed the same facilities for storing kit and sleeping on board for duty purposes as may be offered to married accompanied personnel.

8. **HM Ships.** Single and married unaccompanied personnel accommodated and victualled in HM ships may live out when not otherwise required onboard by duty. Personnel who are serving in an HM ship but are victualled and accommodated ashore and are thus liable for food and accommodation charges may be allowed to live out at their Commanding Officer's discretion.

9. **Unified Commands.** The rules may be modified by the Unified Commander (or as agreed by Single Service Commanders in committee) as appropriate to local conditions e.g. in sensitive areas abroad.

10. **Expenses and Allowances.** Nothing in this article alters the existing regulations for entitlement to the appropriate allowances contained within Joint Service Publication 754 (Tri Service Regulations for Pay and Charges). Permission to live out granted under the terms of this article in no circumstances carries an entitlement to such allowances.

11. **Service Needs.** Commanding Officers may, at any time, revoke the privilege of living ashore contained within this Regulation, and require all, or some, of their personnel to live onboard. This may be particularly appropriate during time of crisis or National emergency.

## CHAPTER 82

### SPARE



**CHAPTER 83**

**COMMERCIAL SPONSORSHIP**

Commercial Sponsorship has been superceded by JSP 462, Chapter 25.

**CHAPTER 84****BUSINESS ACTIVITIES AND PRIVATE INTERESTS**

(MOD Sponsor: NAVY NPS-STRATPOL EMPLOY POL SO1)

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## CHAPTER 84

## BUSINESS ACTIVITIES AND PRIVATE INTERESTS

## SECTION I - BUSINESS ACTIVITIES

**J.8401. Business Activities and Off-Duty Employment**

1. **General.** Serving personnel must at all times guard against being placed in such a position as may leave them open to the suspicion of being influenced in the discharge of their duty by other than purely public considerations. They must be scrupulously careful in their relationships and in any private dealings with Government contractors and their agents or employees. They are forbidden to furnish testimonials to any company, firm or person in respect of the quality of commodities supplied for Service purposes.

2. If a member of the regular forces, has, in the course of their duty, to come into contact with any matter concerning a business organisation in which they have an interest they are to disclose that interest to their superior officer and to ask that some other person may deal with the case. They should not be permitted to deal with the case without the approval of the Ministry of Defence. (*Navy only*: NAVY NPS-STRATPOL EMPLOY POL SO1)

**J.8402. Acceptance of Business Appointments and Off-Duty Employment during Service**

1. A member of the regular forces may not, without authority, accept any continuous employment of profit during their full-time service. Subject to **Para J.8403** and to any provisions elsewhere in these regulations (see Chapter 96 for Royal Marines Bandsmen and Chapter 15 for Medical and Dental Officers) or in separate instructions, they may not, without Ministry of Defence (*Navy only*: NAVY NPS-STRATPOL EMPLOY POL SO1) approval:

- a. Carry on any profession, engage in trade or accept any profitable employment.
- b. Be a member of a governing body (including a director) of any corporation, company, or undertaking, or of any partnership engaged in any trade or carrying on any profession.
- c. Assist, advise or act directly or indirectly as agent for any corporation, company, partnership, undertaking or individual which or who is carrying on any profession or is engaged in trade or is profitably employed.

2. An application for approval under **Para J.8402 sub para 1** must contain an undertaking that:

- a. The applicant's private business will in no way interfere with their Service duties.
- b. They will take no part in activities connected with the firm which could give rise to suspicion that they have used or could use their Service knowledge to further their own business interests or those of their firm.
- c. They will take no part in transactions between the firm and the Services or any departments or branches of the Government or any semi-public organisation brought into being by the Government.
- d. They will inform their new Commanding Officer of the nature and extent of their business activities each time they are assigned or attached.

- e. They will inform their Commanding Officer of any significant change to their duties which may impact on their ability to serve as a member of Her Majesty's forces.
- f. Applicants must also confirm that they understand that no special facilities such as leave of absence will be granted to them and that approval will not debar them being required to serve, whether afloat or ashore, at home or abroad. 3. This provision does not include serving as a member of a charitable trust or school governor.

#### **J.8403. Employment During Leave or Off-Duty Hours**

1. The Services will only restrict the off-duty activities of its personnel where necessary and justifiable. The Services have a responsibility to the nation to provide immediate and constant operational capability. Such unique responsibilities require Service Personnel to work and operate in a way that may be different from those in civilian employment. In some circumstances, therefore, it is necessary for the Service to place restrictions on the private lives of its members. This is to ensure that they can properly exercise their functions as Service Personnel and to protect the efficiency and/or operational effectiveness of the Service as a whole. In accordance with the European Convention on Human Rights, a CO may only restrict the activities of a service person so as to protect or safeguard:

- a. National security (which includes maintaining the operational efficiency of the Naval Service.
- b. Public safety or the economic wellbeing of the UK.
- c. The prevention of disorder or crime
- d. The protection of health or morals
- e. The protection of the rights and freedom of others

2. All personnel wishing to seek external off-duty employment, including unpaid voluntary work which may impact on their Service, during service are, for the reasons stated above, required to seek approval from their CO. Each application is to be considered fairly, impartially and separately by the CO of the applicant. COs are to give full weight to the unique nature and demands of the Service when assessing an application and may approve or reject the application. To assist in the decision the key principles and considerations are outlined below and advice may be sought from Service Legal Advisers or relevant policy advisers (Navy: NAVY NPS-STRATPOL EMPLOY POL SO1).

3. **Guiding Principles.** Service duty takes precedence over all other forms of employment and Service Personnel may be required to be available for service on demand. To ensure that the interests of the Services are protected, Service Personnel may not, without authority, accept any form of employment during service. Certain types of employment may be barred to Service personnel because of the potential for the duties of the employment to conflict with Service duty. However, personnel may be authorised by their CO to take up external off duty employment to carry out a profession or trade, or undertake employment where:

- a. The activity does not involve the use of official time or affect the individual's efficiency as a member of their Service or in any way interfere with any of their Service duties; and;
- b. The activity does not involve the use of official information or resources; and,

- c. Service uniform is not worn, and the individual must not represent themselves as a member of the Armed Forces; and,
  - d. The activity will not bring the Service into disrepute (see further Para 4 below); and,
  - e. The activity cannot be misconstrued as Service endorsement of a commercial activity.
  - f. Where it is known that a trade dispute is in progress, off-duty employment with a civilian organisation affected by the dispute should not be approved without the specific permission of the MOD (NAVY NPS-STRATPOL EMPLOY POL SO1).
  - g. In cases involving participation in a commercial advertisement approval may not be given unless permission is granted by the MOD (NAVY NPS-STRATPOL EMPLOY POL SO1).
  - h. Commanding Officers are to maintain a central record of all approved applications to undertake off-duty employment. The record of an individual's approved application is to be retained as long as they remain in the ship/establishment.
4. Requests to undertake civilian employment during off-duty periods will not be authorised where the activity will bring the Service into disrepute. In considering requests for such employment, Commanding Officers must take into account not only whether such employment complies with the specific requirements of QRs but also how such employment may be perceived by the public and the media. In particular, they should consider:
- a. **Nature of the Employment.** For example, some private security roles require the regular deployment of physical force which may be adversely portrayed if it becomes apparent that serving members of the Armed Forces are involved.
  - b. **Ethos of the Organisation.** For example, some organisations may be perceived as having a 'political' agenda because they adopt a campaigning stance on certain controversial issues. Care must be taken that a formal employment relationship with such an organisation does not appear to compromise the political neutrality of the Armed Forces.
  - c. **Conflict of Interest.** There must be no conflict of interest between the individual's Service duties and those required by his/her civilian employer.
  - d. **Remuneration.** Service personnel will already be drawing a salary from the Armed Forces. Care must be taken to avoid the perception that civil employment during off-duty periods detracts from availability for military duties. At the more senior levels (1\* level and above), including during Terminal Leave, an officer drawing significant remuneration from a civilian employer while still in receipt of a substantial salary from the Armed Forces may attract criticism. The perception may be compounded if his or her new employer is another public sector organisation, or defence industry partner. In the latter circumstances, the presumption is that permission will not be granted.
5. **Business Appointments.** Where a Service person has a date for leaving Service, and where there is potential for the civilian employment to continue after leaving the Service, account must be taken of the MOD Business Appointments Policy (see J.8407 below). In particular, consideration must be given to whether a business appointment application would be required were the employment being taken up on leaving service, and if so, additional authority must be sought from the appropriate deciding authority (see the MOD Business Appointment policy for details)

6. **Other Benefits.** Care should be taken to ensure that there are no non-financial benefits resulting from a formal relationship with a civilian employer that could attract criticism. If a Commanding Officer judges that any of the factors above are likely to bring the Service into disrepute, he should decline the request. (*Navy only* - Advice can be sought from NAVY NPSSTRATPOL EMPLOY POL SO1, through the chain of command where there are any doubts about the acceptability of any form of off-duty employment).

#### **J.8404. Employment During Terminal Leave**

1. Where a post is covered by the Business Appointment Rules further guidance is available at **Para J.8407**.

2. Service personnel leaving the Regular Forces may accept paid permanent or temporary civilian employment during their terminal leave subject to the requirements set out above. These requirements apply equally to Service personnel who wish to commence civil employment during Terminal Leave or other Annual Leave added to it. In addition, Service personnel may not take up civil employment during:

- a. Terminal Leave in an operational theatre; or
- b. A resettlement course or Civilian Working Attachment; or
- c. Whilst on duty undertaking Graduated Resettlement activities - see JSP 534 0392.

#### **J.8405. Insurance Covering Civil Employment**

1. The Ministry of Defence will under no circumstances accept any responsibility for injury, loss or damage sustained by Service personnel or for injury, loss or damage to other parties or to property arising in the course of or out of the activities of such personnel during employment outside their official duties. The Commanding Officer should therefore advise them to ensure that they are adequately covered by insurance.

#### **J.8406. Payments for Broadcasting, Lecturing or Writing for Publication**

1. Payments for broadcasts, speeches and lectures on official subjects by serving personnel are dealt with in Chapter 68 and in 2016DIN03-029.

#### **J.8407. Acceptance of Business Appointments after Leaving the Service**

1. The Business Appointment Rules apply to Service personnel (Warrant Officer equivalent and above) who intend to take up an outside appointment or employment after leaving the Services. The operation of these rules is overseen by the Independent Advisory Committee on Business Appointments (ACOBA) (<http://acoba.independent.gov.uk>). MOD Business Appointments Policy is at the following link:  
<https://modgovuk.sharepoint.com/sites/defnet/HOCS/Pages/Business-appointments-policy.aspx>

2. This is necessary to ensure that when an officer accepts outside employment there should be no cause for suspicion of impropriety. In particular the procedure is designed to allay public concern that the advice and decisions of an officer in Crown Service might be influenced by the hope or expectation of future employment with a particular firm or organisation, and to avoid the risk that such employers might be gaining an unfair advantage over competitors by employing an officer who has had access to commercial, technical or other information which those competitors could legitimately regard as their trade secrets. Each application will be considered individually and on its own merits, and a decision made accordingly. Applications may be approved without condition, or may be subject to conditions which will apply for a maximum of two years from the last day of **paid** service (i.e. at the end of Terminal Leave), for instance waiting periods or other conditions may be imposed on those applications where there has been a close link between the applicant (when serving in the Armed Forces) and the proposed employer, or that company's competitors.

3. Defence Business Services (DBS) Civilian HR advise and administer the Business Appointments application policy and process on behalf of the Services. Before accepting any new appointment or employment (including unpaid appointments in the voluntary/charity sectors) whether in the UK or overseas, after leaving the Services all serving/former Military Officers (including Warrant Officers) must consider whether an application is required under the Business Appointment Rules. If it is, they must not accept a new paid or unpaid job offer before their application has been approved. This policy applies for two years after their last day of paid service including the Terminal leave period. An application must be submitted under the Business Appointment Rules if the serving/former Military Officer is at or above the rank of Lieutenant General, Vice Admiral, or Air Marshal for any appointment taken up within two years of leaving Service.

4. All serving/former Military Officers at or below the rank of Major General, Rear Admiral, or Air Vice Marshal must submit an application if their circumstances match one or more of the following criteria:

- a. Have been involved in developing policy affecting the prospective employer, or have had access to unannounced Government policy or other privileged information affecting the prospective employer at any time in their last two years in the Services;
- b. Have been responsible for regulatory or any other decisions; affecting their prospective employer, at any time in their last two years of service;
- c. Have had any official dealings with their prospective employer at any time in the last two years of service in the Armed Forces;
- d. Have had official dealings of a continued or repeated nature with their prospective employer at any time during their service career;
- e. Have had access to commercially sensitive information of competitors of their prospective employer in the course of their official duties;
- f. The proposed appointment or employment would involve them making representations to, or lobbying the Government on behalf of their new employer;
- g. The proposed appointment or employment is consultancy work, either self-employed or as a member of a firm, and they have had official dealings with outside bodies or organisations in their last two years of service that are involved in the proposed area of consultancy work

5. Applications may be approved unconditionally, or approved subject to conditions which may apply up to a maximum two years from the last day of **paid** service (which includes the Terminal Leave period). Such conditions may include:

- a. waiting period before taking up the appointment or employment and/or;
- b. A behavioural condition that for a specified period the former Military Officer (including Warrant Officer) should stand aside from involvement in certain activities, for example, commercial dealings with the MOD, or involvement in particular areas of the new employer's business.

6. For further guidance, consult the MOD Business Appointments Policy. If after the reading the policy further advice is needed, contact Defence Business Services (DBS) Civilian HR by calling the People Service Centre on 93345 7772 (Mil) or 0800 345 772 (STD) and if overseas +44 1225 829572 or by using the Contact Us link on the People Service Channel (Contact/Email). Applications should be made on DBS Form 038 which can be obtained from DBS. **It is essential that no appointments are accepted until formal approval has been obtained from the Ministry of Defence.** (When completed, DBS Form 038 should be sent to DBS with a copy to the Naval Secretary).

#### **J.8408. Retired or Reserve Officers in Civil, Commonwealth or Foreign Employment**

1. An officer on retirement, or at any time following retirement, who wishes to accept employment with:

- a. The government of any country, including a Commonwealth country, whose nationals do not owe common allegiance to the Crown; or
- b. Any organisation owned, controlled or sponsored by such a government; or
- c. Any overseas police force, however it may be controlled, will, in all but the most exceptional circumstances, be required to resign his commission.

2. Before accepting any such employment, the officer must notify the Ministry of Defence, Naval Secretary, MS (Coord)b or AMP (F and S) as appropriate.

3. On termination of such employment, it is normal for an officer's commission to be reinstated on request. Where the reinstatement of a commission is refused, the individual retains the right to state a Service Complaint in accordance with JSP 831.

4. Receipt of Service retired pay between the time of resignation and reinstatement is normally unaffected.



## SECTION II - CROWN SERVICE AND PRIVATE INTERESTS

### J.8409. General

1. This instruction sets out the rules governing the way in which individuals are required to order their affairs so that no conflict arises, or may be perceived to arise, between their private interests and their public duties. These rules apply to all MOD civilian staff and Service personnel, described collectively as 'Crown Servants'.

### J.8410. Criminal Offences

1. It is a criminal offence under section 52 of the Criminal Justice Act 1993 for a person, who has information about securities as an insider, to deal in securities whose price may be affected by that information. In this context, a person is an insider if they or their source (whether direct or indirect) has access to the inside information by virtue of their office or employment, and they know this to be the case.

### J.8411. Principles

1. Crown servants must not be involved in taking or contributing to any official decision that would affect the value of their private investments or private interests, or the private interests of others to whom they may give advice. Nor should they use information acquired in the course of their official duties to advance their private financial interests, or the private interests of others to whom they may give advice. The following guidance is intended not only to avoid actual conflict of interest between an individual's public duty and private affairs, but also to protect individuals being placed in a position where their actions might give the impression to anyone, inside or outside the department, that they might have acted improperly.

### J.8412. Investments

1. Crown servants may hold any stock, shares or other investments, unless such holdings conflict with their official duties. Individuals must, however, declare to their Head of Establishment or Division or Commanding Officer all investments in any company with which they have official dealings. These declarations should also include details of such investments held by an individual's immediate family. The scope of family declarations will depend on good judgment but must include investments held by Crown Servant's spouse or partner and children, as far as he or she is aware of such interests or could reasonably be expected to have known of them. Changes in private interests (e.g. share disposals and or acquisitions) of all those covered by these instructions must be declared. It is not necessary to declare Unit trusts or other managed funds, over which the individual has no control, unless a sensitive company is the dominant factor in the investment.

2. Where an individual's Head of Establishment or Division or Commanding Officer considers, as a result of declarations, that there may be a conflict of interest, he or she will discuss with declarant what further action might be necessary or desirable. This might range from a voluntary undertaking not to deal in or advise on the holdings in question to, in rare cases, instructions from their Department to dispose of personally held investments. Failure to comply with such instructions may lead to administrative or disciplinary action. Each case will be examined on its merits, and in all cases involving Service personnel the advice of the relevant service legal staff will be sought.

**J.8413. Directorships, Partnerships and other Private Commercial Activities**

1. The requirements of the Crown Service must be the first call on the loyalty and the time of every Crown Servant. Crown Servants who are themselves directors or partners, or who hold any other appointment in a private sector commercial organisation must, if the private interest is associated in any way with their official duties, declare such interests to their Head of Establishment or Division or Commanding Officer. It may also be necessary to declare such appointments held by an individual's immediate family.
2. Where an individual's Head of Establishment or Division or Commanding Officer considers that there might be a conflict of interest between the declarant's personal activities and his or her official duties, it may be necessary to instruct the individual to resign from the private position. The Department cannot require a member of the individual's family to comply with such an instruction, but, where a conflict of interest arises, it may be necessary to remove the Crown Servant from the work in question or transfer him or her to a new post.
3. Any information declared under this instruction will be confidential to the declarant, the individual holding the position of Head of Establishment or Division or Commanding Officer and, if appropriate, the civilian or Service personnel branch. Any record of it is to be destroyed when the declarant leaves the post to which the declaration refers. On assuming a new position within a Department, individuals must decide whether they need a new declaration.

**J.8414. Further Information**

1. Any enquiry on the content of this section, or request for advice about the application of the principles to particular circumstances, should be referred direct to DBS in the case of civilians, or the single-Service personnel authorities (Navy: NAVY NPS-STRATPOL EMPLOY POL SO1) (who will seek advice as appropriate), in the case of Service personnel.

**J.ANNEX 84A****SPORT AND FINANCIAL INCENTIVES**

1. The growth of professionalism within sport has led to increasing opportunities for Service personnel to receive financial reward for being members or trainers of civilian teams, for competing as individuals and for officiating at civilian competitions. The rules which require Commanding Officer's approval for temporary employment as laid down in **Para J.8401–Para J.8403** apply equally to professional sport. It is recognised that professional sport and the associated training can make significant demands on the time of individuals. As a matter of both policy and financial regularity, Service personnel should not be paid twice for their working time. Policy detail for professional sportsmen and women in the Services is provided in BRd 51(4) Chap 9 – Sport in the Naval Service.
2. Commanding Officers are to inform individuals that when permission is given for participation in professional sport, it will normally be on the understanding that they will be required to make a contribution (paid or unpaid leave and/or salary abatement) in respect of paid sporting commitments, when they are required but not available for Service duties.
3. Proposals for each individual professional sportsman/woman are to be drawn up by his/her Commanding Officer in consultation with the Command chain and Captain Naval Physical Development.
4. Guidance on assessing an individual's contribution by way of paid or unpaid leave and/or salary abatement is contained in BRd 51(4) Chap 9.

## CHAPTER 85

### SPARE

## CHAPTER 86

### CONFLICT OF INTEREST

(MOD Sponsor: People-Civilian HR-Policy)

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- J.8606. Action to take where a conflict of interest cannot be resolved
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## CHAPTER 86

### CONFLICTS OF INTEREST

#### J.8601. General

1. The MOD policy on conflicts of interests sets the departmental framework for all who work in the department including all members of the Armed Forces and Civil Servants. It is available at:

[https://modgovuk.sharepoint.com/sites/defnet/HOCS/Pages/conflicts\\_of\\_interest.aspx](https://modgovuk.sharepoint.com/sites/defnet/HOCS/Pages/conflicts_of_interest.aspx)

2. This instruction deals with the potential conflict of interest or loyalty for those who hold formal positions, such as a trustee in charities, Non Departmental Public Bodies (NDPBs) and other not for profit organisations including all Service unit-based charitable activities and Service and civilian sporting associations. The issue arises most obviously when a charity which provides benefits to the Armed Forces or Civil Service or has close contact with the Department seeks financial assistance or funding from the Department or privileged access to publicly owned assets. This guidance reflects the Charity Commission's guidance on conflicts of interest for charity trustees.

#### J.8602. Service Staff Holding Appointments in Outside Organisations, Including Charities

1. Service personnel who hold appointments (in either a private life or official MoD/Service capacity) in outside organisations, including charities should avoid placing themselves in a position where a conflict of interest might arise, or be perceived to arise by:

- a. Ensuring that any conflict of interest or loyalty is declared and included in the outside organisation's register of interest.
- b. Taking no part in discussions where a conflict of interest or loyalty exists or might be perceived to exist. For example, Service personnel should not take part in discussions about MoD funding for the organisation, about the privileged use of public assets or services or about the provision of some other benefit from the MoD to the organisation.
- c. Ensuring that they are not party to any decision by the Department to respond to a request for funding or other benefit from the organisation in which they hold an appointment.

#### J.8603. Reporting Actual or Perceived Conflicts of Interest

1. Where outside activities could lead to actual or perceived conflicts of interest, personnel must alert their chain of command so that a decision can be taken on whether the outside appointment is consistent with their official position. Where a real or perceived conflict of interest exists between a MOD Crown Servant's official duties and their outside interests, the Crown Servant is to make a full declaration to be assessed by their Command chain.

See the MOD conflicts of interest policy for the template to be completed. When the post holder and his/her immediate Commanding Officer are unable to agree on the acceptability of an outside appointment, the post holder may appeal to his/her next highest authority, and normal Service grievance procedures may also be used.

#### **J.8604. Charity Commission Guidance and the Duties of the Trustee**

1. Charity Commission guidance makes it clear that the overriding duty of a trustee is to act in the best interests of their charity and that trustees appointed by an external organisation (such as MoD) must act independently of the organisation which appointed them and act only in the best interests of the charity. Failure to do so may make the trustee personally (and financially) liable to the charity for a breach of trust. There is no guarantee that the MoD would stand behind the trustee in such circumstances.

#### **J.8605. Link to Charity Commission Guidance for Trustees**

1. The Charity Commission Guidance for trustees is at

<http://www.charitycommission.gov.uk/trustees-staff-and-volunteers/trustee-board/conflicts-of-interest/>.

All trustees are strongly encouraged to read this advice. At the same time, Service personnel also have a responsibility to Defence (and the taxpayer) to ensure that their professional role is not influenced by their charity role in a manner that would be inappropriate.

#### **J.8606. Action to take where a Conflict of Interest cannot be Resolved**

1. In most cases, following the processes outlined under J.8602 will be adequate to manage any conflict of interest or loyalty appropriately. In a few cases, it might be found that an individual's official responsibilities in respect of MoD's relationship with the outside organisation render their position as trustee of the organisation untenable. In such circumstances, the best solution will be to replace the trustee with another appointee whose official duties do not impinge directly on MoD's relationship with the outside organisation.

#### **J.8607. Obligations to outside Organisations and use of Official Information**

1. Service personnel should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties; and they must not use their official position or information acquired in the course of their official duties to further their private interests or those of others. This includes not only avoiding actual or potential conflicts of interest but also any suspicion that such conflicts might exist.

**CHAPTER 87****DEFINITIONS AND COUNTING OF SERVICE, DUTY STATUS**

(MOD Sponsor: NAVY LEGAL-DISCIPLINE LAW SO1)

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- 8702. Spare
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- 8705. Spare
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- 8707. Spare
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- 8712. Officers Affected
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**ANNEX**

- Annex 87A. Duty Status - Categorization of Activities



## CHAPTER 87

### DEFINITIONS AND COUNTING OF SERVICE, DUTY STATUS

#### SECTION I - DEFINITIONS AND COUNTING OF SERVICE

##### **8701. Definition of Service**

1. 'Service' shall mean service in the Regular Royal Navy either on a full-time basis or pursuant to a Flexible Service Arrangement, during which a regular Service Person will remain "in Service" at all times. Service shall also mean service pursuant to the Reserve Forces Act 1996 and the Defence Reform Act 2014. "Service" shall include 'service in a warship at sea.'

##### **8702. Spare**

##### **8703. Service**

1. Reckonable service is the term used when calculating a member's pension.
2. Qualifying service is paid service in the Armed Forces including periods of service defined by a Flexible Service arrangement.
3. Detailed information can be found in JSP 750 Centrally Determined Terms of Service, JSP 764 The Armed Forces Pension Scheme 2005, and JSP 905 Armed Forces Pension Scheme 2015.

##### **8704. The Counting of Service**

1. The conditions governing the counting of service and prior service as rating, for the purpose of the grant or assessment of retired pay or gratuity, are laid down by Order in Council. The regulations are published in JSP 764, JSP 765 and, for those on flexible employment arrangements, JSP 750.

##### **8705. Spare**

##### **8706. Medical and Dental Officers**

1. Medical and Dental Officers may be allowed to count time spent in certain recognized civilian hospital appointments for seniority and increments of pay, notwithstanding that full pay may not be issued in respect thereof, but it will not count as 'service' for retired pay or any other purpose. The regulations governing the counting of previous service in the Armed Forces or civilian experience towards ante-date of seniority are given in JSP 754 Tri Service Regulations for Pay and Charges.

**8707 – 8711      Spare****8712.    Officers Affected**

1.        The regulations in this Chapter are applicable to all officers on the Active List of the Royal Navy and Royal Marines but not officers who have retired or resigned and are subsequently recalled to service, or voluntarily re-employed, from the Retired or Emergency Lists.

**8713.    How Unpaid Leave Counts**

1.        Special leave without pay will not normally reckon as service for any purpose, but the Ministry of Defence may, at their discretion and in very exceptional circumstances, allow such leave to reckon for seniority and increment purposes. A decision on this point will be communicated when approval is given to the officer's application.

**8714–8720. Unallocated**

## SECTION II - DUTY STATUS

### 8721. Section 10 of the Crown Proceedings Act 1947—Guidelines on Duty Status

1. Section 10 of the Crown Proceedings Act 1947 has been repealed by the Crown Proceedings (Armed Forces) Act 1987. Under the terms of the new Act it is now open to a member of the Armed Forces or their dependants to make a common law claim for damages in respect of injuries or illness or death arising from an incident on or after 15th May 1987, and believed to have been caused by negligence on the part of one or more members of Armed Forces when on duty, or on the part of the MOD or the Crown. (See **J.5921**.)

2. It should be noted, however, that the Secretary of State for Defence has reserved the right to reactivate Section 10 of the Crown Proceedings Act 1947 when it appears necessary or expedient to do so in National emergencies or for the purpose of warlike activities either in or outside the UK.

3. A guideline to the categorization of activities is shown in Annex 87A.

4. Service personnel are reminded that their rights to seek compensation from MOD are *not* dependent on duty status as such. Compensation is payable for injury or loss resulting from (for example) MOD negligence. Compensation is not payable simply on the basis that the injury or loss occurred at a time when the Service person/MOD employee or agent responsible was on duty. Nor will MOD accept liability for the actions of its employees simply on the basis that they were on duty when the incident which led to the claim occurred. The Department as employer is vicariously liable for the actions of its employees where they are alleged to be responsible (for example) for negligent acts or omissions *in the normal course of their duties or employment*. An individual will not be acting within the normal course of his or her duties or employment if the act or omission complained of was neither explicitly nor implicitly authorised by an individual's superiors nor was something that was necessarily incidental to the duties required of the individual. For example if a member of the Armed Forces were to attack someone or engage in horseplay leading to an injury whilst on duty this would not be considered to be in the normal course of his or her duties or employment. In such circumstances the Department would not normally accept vicarious liability. Similarly it should not be assumed that MOD will subsume an employee's defence within the Department's own legal representation or provide legal representation at public expense for the individual concerned.

In the event of any dispute, either over liability or the amount of compensation, Service personnel and their families have the right to take their case to court.

## ANNEX 87A

## DUTY STATUS - CATEGORIZATION OF ACTIVITIES

**1. Activities Directly or Indirectly relating to Service Functions or Responsibilities (excluding travel and recreation).**

Category	Normal status	Notes
a. Performance of specific functions required by the Service.	On duty.	Some actions (e.g. horseplay) might be held by the courts to be outside the scope of official duties but this does not affect duty status.
b. Time spent in a particular location where presence is necessary but not performing specific Service functions (e.g. standby duty, official social functions).	On duty.	The individual's freedom of action will be an important determining factor. Personnel on board ship will normally fall in this category (except when covered by 1a).
c. Time spent on Service premises as a result of residence in mess/barracks/married quarters.	Off duty.	Except that an individual required to live-in, in order to be immediately available for duty, may at times be regarded as falling under 1b.

**2. Sporting and Recreational Activities.**

Category	Normal status	Notes
a. Sport/physical recreation organized by Service authority.	On duty if either:  (i) Compulsory (as part of training or organised fitness programme); or  (ii) Selected by Service authority to represent a Service unit; or officiate at such a formation; or  (iii) Taking part or officiating in sport authorised and supervised by Service authority or participating in the Joint Service Adventurous Scheme.	Location on or off Service premises is irrelevant. Sub-section (ii) includes organized training for such teams.

Category	Normal status	Notes
b. Expeditions under Services auspices.	Duty status to be decided by appropriate authority before start of expedition.	Although an expedition as a whole may be recognised as on duty, individual activities during the course of the expedition may be off duty and should be judged by application of the general guidelines.
c. Activities organized by Service Sports Associations other than those in 2a.	Off duty	
d. Other sporting/recreational activities.	Off duty	

1. **Principles.** Physical development activities as detailed below (incorporating the 3 core pillars of: adventurous training, physical education, and official military sport), together with other military training, contributes to the moral and physical preparation of Service personnel delivering the core business of military capability. It improves robustness and reduces susceptibility to injury.
2. The requirement for service personnel to be available for rapid deployment to theatres world-wide places a premium on maintaining their health and physical fitness at levels commensurate with duties they may have to undertake.
3. In order to meet and maintain the physical standards mandated by the Services, Service Personnel must adopt a healthy lifestyle.
4. Individuals have a responsibility to ensure they are medically fit when on duty undertaking physical development activities.
5. Individuals and the activity supervisor, where appropriate, must report any incident or injury arising from a physical development activity, classed as on duty below, to the Unit Medical Officer and the Unit Health & Safety Officer within 24 hours of it occurring or as soon as possible thereafter.
6. When Service personnel engage in physical activity for personal amusement or recreation they are off duty.
7. Individuals are to be strongly encouraged by the chain of command to ensure that they have personal and third party liability insurance if participating in physical development activities classed as off duty below.

**3. Travel**

Category	Normal Status	Notes
a. To and from normal duty station.	Off duty	
b. On duty visit to station other than normal place of work (including posting and on duty sporting fixtures).	On duty	Travel must be by reasonably direct route. Meal breaks and overnight stops generally off duty (but see 1b).
c. To and from leave.	Off duty except in case of immediate recall.	

**4. Private Activities.**

Category	Normal Status	Notes
a. Time voluntarily spent on Service premises engaged in recreational or leisure activities.	Off duty	Unless at an official social or other function which could reasonably be regarded as falling under 1b.
b. Leave.	Off duty	Except on immediate recall (see 3c)
c. All other private activities.	Off duty.	Includes time spent away from normal residence whilst on detachment but not performing specific Service functions.

**CHAPTER 88****SHIPS' AND ESTABLISHMENTS' BADGES AND MOTTOES**

(MOD Sponsor: Naval Historical Branch)

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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- 8802. Design
- 8803. Approval of Design
- 8804. Categories of Badges
- 8805. Shape and Size
- 8806. Production and Issue to Ships and Establishments
- 8807. HM Ships and RFAs - Entitlement and First Issue
- 8808. Royal Navy Air Squadrons, and those Royal Naval Establishments and Schools Entitled to a Badge
- 8809. Type Badges
  
- 8810 - 8812. Spare
  
- 8813. Accounting and Disposal
- 8814. Use of Badges for Purposes Other Than Display in Ships and Establishments and on Stationery
- 8815. Mottoes

## CHAPTER 88

## SHIPS' AND ESTABLISHMENTS' BADGES AND MOTTOES

## 8801. Entitlement to a Badge

1. The authority responsible for the design and registration of badges and to whom all applications should be submitted, is the Ships' Names and Badges Committee (Chairman - Head of Naval Historical Branch CNS-NHB AD, Secretary – Admiralty Librarian/CNS-NHB AL).
2. Badges/Emblems fall into three categories:
  - a. **Official RN Badges.** HM ships and submarines, Royal Naval Air Squadrons, RFAs, and vessels employed on naval service and those Royal Naval establishments and schools that have been commissioned by name as one of HM ships are entitled to an official RN badge, with the heraldic design surrounded by a twisted-rope frame to the prescribed shape (see 8805), and surmounted with the name of the unit and ensigned by a Naval Crown.
  - b. **Semi-Official Badges.** Surface ship and submarine squadrons, and recognized operational commands (i.e. listed on the current Fleet Bridge Card and submitting operational records i.a.w. BR 9461) are ordinarily entitled to a semi-official badge. These badges must be approved by SNBC to ensure propriety and to prevent unwitting duplication of past and current official RN badges. They are to contain the heraldic design, surrounded by the twisted-rope circular frame, surmounted with the name of the organization. They are not to contain the Naval Crown, so as to distinguish them from Official RN Badges. Where squadrons or commands fall into a clear grouping, they may share a 'type' badge (using the same design but surmounted by their separate titles) to provide an overarching identity.
  - c. **Official Badges for Operational Flag Commands.** These contain as Emblem the appropriate Flag on a white background in a twisted-rope circular frame. Seagoing commands may use a wavy blue and white background. They are to be surmounted by the Flag Appointment and ensigned by a Naval Crown. COMRFA will exceptionally have as Emblem the RFA Commodore's pennant and is to be in a pentagonal frame; and COMMARES, as Head of a Fighting Arm, will have the Commodore's pennant in a circular frame. The design is to be registered with the SNBC.
3. Any other Emblems for MOD(N) organizations are entirely unofficial, and are a matter for the authority concerned. They are not to be displayed inside a twisted-rope frame nor be ensigned by the Naval Crown.



## 8802. Design

1. The design of a badge is linked with the name of a ship, establishment, school or the number of an air squadron. It can be assumed that most names or numbers which have been used in the past for RN ships, establishments, or air squadrons will have an approved design of badge which is, or will be, used for subsequent bearers of the same name or number. A new design for a badge is only required when a new name or number is brought into use or, in exceptional circumstances, where an existing approved design is thought to be inappropriate. The design, once approved, may be used in printed form on stationery, or in the form of a manufactured plaque. Designs currently in abeyance may not be appropriated for a new use unless there are exceptional circumstances (usually if there is a clear justification for the design to be inherited), and the case has been approved by the Committee.

## 8803. Approval of Design

1. Approval of designs for badges is the responsibility of the Ships' Names and Badges Committee assisted by the Royal Navy's Adviser on Heraldry who is a member of the committee.

- a. **Existing Designs.** The original paintings (Sealed Patterns) of all existing approved designs are held by the Naval Historical Branch.
- b. **Changes to Approved Designs.** The design of a badge remains unchanged, not just during the life of a particular unit but in virtual perpetuity; changes will only be considered under very exceptional circumstances.
- c. **New Designs.** When ships, establishments, or air squadrons for which there are no extant badges are to be brought into service, the Ships' Names and Badges Committee should be requested to provide a design. The Committee will take into consideration suggestions proposed by the ships or establishments concerned but the final decision on the design remains with the committee. When a design has been approved by the Ships' Names and Badges Committee, the Sealed Pattern is held by the Naval Historical Branch.
- d. **Semi-Official Badge Designs.** Designs for semi-official badges, other than those for squadrons, are not covered by public funding. Arrangements for a design by the Royal Navy's Adviser on Heraldry at the sponsor's cost are to be made through the Naval Historical Branch and are subject to approval by the SNBC: the sealed pattern is held by the Naval Historical Branch.

## 8804. Categories of Badges

1. Badges fall into the following categories:
  - a. **Ships' Badges.** Full-sized reproduction of the design for display in the ship or establishment.
  - b. **Boats' Badges.** Smaller-sized reproductions of the design for display on ships' boats.

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- c. **Presentation Badges.** Smaller-sized reproductions of the design for presentation purposes.

### 8805. Shape and Size

1. Shape and size of badges have in the past varied but are now standardized as follows:

- a. **General.** The badge consists of an heraldic design surrounded by a twisted-rope frame. The name or number is included in a panel at the top of the frame which is ensigned by the Naval Crown. There should be no embellishments to the frame.

- b. **Shape of Frame.**

- (1) HM ships and submarines -Circular
- (2) RN establishments and schools - Diamond
- (3) RFA Vessels - Pentagonal
- (4) RN Air Squadrons - Circular
- (5) Flag Commands - Circular
- (6) Operational Commands - Circular (no Crown)

- c. **Size.**

- (1) Ship's badge. 30 cms inside diameter of frame for circular badges, and in proportion for diamond-shaped and pentagonal badges (except for conventional submarines where the inside diameter is to be 14 cms).
- (2) Boat's Badge 3 cms inside
- (3) Type Badge 13 cms inside
- (4) Presentation Badge (Occasional Use) 13 cms inside
- (5) Presentation Badge (General Use) 9.5 cms inside

2. No badge is to be displayed by a ship or establishment unless it is first approved by the Ships' Names and Badges Committee. No departure is permitted from the approved design as shown in the Sealed Pattern held by the Naval Historical Branch.

3. Correspondence on the design of and entitlement to badges should be addressed, through normal Service channels, to the Naval Historical Branch.

**8806. Production and Issue to Ships and Establishments**

1. The Sealed Patterns are held by, the Naval Historical Branch, No 24 Store, HM Naval Base, Portsmouth, PO1 3LU. The master carving and requisite moulds of older designs are stored at Devonport. Supply of badges to ships, squadrons, and establishments is as shown in the following paragraphs.

**8807. HM Ships and RFAs - Entitlement and First Issue**

1. The following will be supplied to ships building:
  - a. Colour reproduction of design and heraldic description for inclusion in the ship's record.
  - b. One ship's badge.
  - c. Sufficient boats' badges to allow two for each ship's boat shown on the drawings.

The manufacture of ships' badges will be the responsibility of the shipbuilder who will be provided on request with the heraldic description and a coloured copy of the Sealed Pattern.

**8808. Royal Naval Air Squadrons, and those Royal Naval Establishments and Schools Entitled to a Badge**

1. After the final approval of the Sealed Pattern, the Naval Historical Branch will send a coloured copy of the design to the appropriate establishment for them to make the necessary arrangements for manufacture.

**8809. Type Badges**

1. After the final approval of the Sealed Pattern, the Naval Historical Branch will send a coloured copy of the design to the appropriate establishment for them to make necessary arrangements for manufacture.

**8810-8812. Spare****8813. Accounting and Disposal**

1. The cost of provision of official ships' badges will be met by individual projects. Establishments and schools will finance the manufacture of their own badges.
2. Badges issued to ships are to be regarded as part of the initial supply of stores, to be accounted for by the Supply Officer on the Permanent Loan Register.
3. Semi-official badges receive no public funding.

**8814. Use of Badges for Purposes other than Display in Ships and Establishments or on Stationery**

**1. Presentation Badges.**

a. Presentation badges for ships, submarines, RFAs, front-line naval air squadrons and operational commands are issued and mounted for presentation purposes. This is in recognition of the fact that they are required to present tokens of appreciation, for example for hospitality extended to them during visits at home and abroad. Shore establishments are not automatically entitled to these arrangements in view of the high cost and the fact that there is a limited need for such gifts to be made by shore establishments.

b. To limit the resources expended in the preparation of presentation badges and to maintain the high standards required of such mementos, Commanding Officers are to ensure that such gifts are kept to a reasonable minimum.

**2. Reproductions of Badge Designs.** Designs officially approved as the badges of HM ships and establishments are covered by Crown Copyright and therefore a fee may be payable in respect of the reproduction of such designs. Requests for permission to reproduce badge designs should be addressed to Intellectual Property Rights Group, MoD Abbey Wood, giving an indication of the scale of reproduction considered.

**8815. Mottoes**

1. The design of a badge does not include a motto. The Ships' Names and Badges Committee does not initiate action to provide mottoes for new designs of badges, but is responsible for approving those which may be required. A Commanding Officer of a ship or establishment entitled to a ship's badge but which does not have a motto may, if so desired, submit proposals for a motto for approval by the Ships' Names and Badges Committee. It will not normally be changed during the period of the ship or establishment's service. Exceptionally, if an approved motto is thought to be no longer appropriate, a ship or establishment may propose an alteration, together with justifications, through the normal service channels for consideration by the Ships' Names and Badges Committee.

2. Correspondence on the approval of mottoes is to be addressed to Naval Historical Branch.

**CHAPTER 89****INVENTIONS, PATENTS AND AWARDS FOR SUGGESTIONS**

(*MOD Sponsor: DIPR-POL Article 8901*  
: DBI Articles 8902-8904)

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

**GENERAL REGULATIONS****CONTENTS****Para**

- 8901. Inventions and Patents
- 8902. GEMS Staff Suggestion Scheme
- 8903. Awards for the Herbert Lott Naval Trust Fund
- 8904. Technical Suggestions from Members of the Public

**8905-8920. Unallocated**

## CHAPTER 89

### INVENTIONS PATENTS AND AWARDS FOR SUGGESTIONS

#### 8901. Inventions and Patents

1. Defence Intellectual Property Rights (DIPR) is responsible for the management and protection of MOD's Intellectual Property (IP), including patents, designs and copyright such as computer programs.

2. The ownership of inventions made by employees, whether or not patented, or patentable, is determined according to the principles set out in Section 39 of the Patents Act, 1977. This applies to all civilian and Service employees of the Crown whether employed under Regular, part time, or Reserve arrangements.

3. In accordance with the Act, where a civilian or service employee of the Crown makes an invention as part of their duties, that invention belongs to the Secretary of State for Defence as their employer. All such inventions should therefore be reported to DIPR who will decide whether the invention should be protected and exploited for the benefit of the Crown.

4. In the event that there is doubt over whether an invention arose as part of an individual's official duties, the matter should be referred to DIPR, who will give a determination on the ownership of the invention, and ensure that any sensitive or valuable information is protected.

5. Individuals **MUST NOT** publish or disclose any information relating to inventions outside of MOD (other than under express conditions of confidence) without first informing DIPR and receiving prior written authorisation to disclose. Any public disclosure of an invention, such as testing, demonstration, discussing an invention or publishing information about such an invention may prevent it from being patented, or otherwise being legally protectable. Such unauthorised disclosures may therefore cause the Crown (or the individual concerned) to lose valuable rights and are considered a serious disciplinary matter.

6. The MOD Rewards to Inventors (RTI) scheme provides incentives for MOD civilians and military staff to notify MOD of inventions and technical innovations, and to assist in their production and exploitation. The RTI scheme sits alongside GEMS – The Defence Ideas Scheme.

7. The DIPR website contains comprehensive information and resources on the management of IP within the MOD. The site includes a link to the latest MOD Guide to Intellectual Property which provides detailed information on handling IP. Should you have an idea which you think may be protectable, further detail including the current process for submitting ideas to DIPR can be found on the DIPR website under 'Invention Submissions'.

8. The DIPR website can be found on the intranet by searching for 'dipr'.

9. The DIPR website also sets out current Points of Contact within DIPR.

## 8902. GEMS Staff Suggestion Scheme

1. **Introduction.** The GEMS Staff Suggestion Scheme aims to encourage and reward ideas from all parts of the MOD and Armed Forces to improve the way the Department conducts its business. The scheme is open to all staff, Service and civilian, and replaces previous technical and non-technical schemes.
2. **How to Make a Suggestion.** Further details are available via the GEMS website on Defence Intranet or the GEMS site on the internet ([www.gems.mod.uk](http://www.gems.mod.uk)).
3. **Contacts.** Further information about the Scheme can be obtained from the following addresses:

GEMS Scheme Manager  
 Defence Business Improvement Division  
 Floor 6, Zone 1  
 MOD Main Building  
 Whitehall  
 London, SW1A 2HB  
 Tel: 9621 (020721) 84952

GEMS RN Service Award Group  
 DES Ships EBG-GEMS  
 Maple 2  
 Abbey Wood  
 Bristol  
 BS34 8JH  
 Tel: 9352 (011791) 32697

## 8903. Awards from the Herbert Lott Naval Trust Fund

1. Through the generosity of a private donor a fund has been established which is known as the Herbert Lott Naval Trust Fund. This fund enables the Department to make awards to such officers and ratings of the naval and marine forces of Her Majesty, whether on the active or reserve strength, as shall show marked efficiency or who shall contribute in signal degree to the improvement of the appliances of the naval or marine forces of Her Majesty. The inventions and technical suggestions element of this fund, the HLNITF, is administered by CNSA and funds are allocated to Type Commanders (FOSF, FOSM, FONA and CGRM) to enable local awards to be made. The same submission procedure as for exgratia awards should be followed and applications forwarded through the appropriate chain of command for consideration. Applications from personnel serving in other areas should be forwarded with appropriate supporting documentation direct to: CNSA/AN210, MOD (DES) Abbey Wood #96. An award under the HLNITF will not prejudice further awards being made from other MOD award schemes.

## 8904. Technical Suggestions from Members of the Public

1. Members of the public, both in the United Kingdom and abroad, frequently submit ideas or suggestions relating to proposed or existing Service equipment or to manufacturing or other techniques for its improvement. These reach the Ministry of Defence in a variety of ways, but it is important that they should all be centrally recorded in order that, in considering a proposal, any previous submissions by the same proposer, or similar proposals by others, may be taken into account.

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2. Following the closure of the Defence Diversification Agency all communications relating to proposals from Members of the public, including requests for interviews, together with any appropriate comments should be referred direct to [science@mod.uk](mailto:science@mod.uk) or [ideas@mod.uk](mailto:ideas@mod.uk) or posted to Science/Innovation/Technology, MOD, Main Building, Floor 1, Zone K, Whitehall, London, SW1A 2HB. No correspondence (other than a formal acknowledgement) should be entered into with the proposer.

**8905-8920. Unallocated**



## CHAPTER 90

### SPARE

## CHAPTER 91

### STANDARDS, FLAGS AND COLOURS

(MOD Sponsor. YOTA)

This chapter has been diversity and inclusion impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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## CHAPTER 91

## STANDARDS, FLAGS AND COLOURS

## DEFINITIONS:

Foreign Sovereign – See Chapter 94

Flag Officer, Officers of Flag rank, Commonwealth – See Explanation of Terms on page xx



**Note.** Whenever HM Ships or establishments have queries concerning flags or the conduct of flag ceremonial, these should be referred to the Yeoman of the Admiralty (YOTA), NAVY-YOTA@MOD.UK

## SECTION I - STANDARDS AND DISTINGUISHING FLAGS

## J.9101. The Sovereign and the Lord High Admiral

1.
  - a. **Royal Standard.** The Royal Standard, being the personal flag of the Sovereign, is to be hoisted on board HM ships and on official buildings and enclosures only when The Sovereign is present. It is to be hauled down at the moment of departure. The only exception to this rule is that the Royal Standard is to be flown if available at parades in honour of the birthday of The Sovereign. The Royal Standard is never hoisted when The Sovereign is passing in procession.
  - b. (Navy Only). **The Flag of the Lord High Admiral.** The flag of the Lord High Admiral is to be hoisted, on occasions when the Lord High Admiral, His Royal Highness, The Duke of Edinburgh, is present with anybody of Royal Naval or Royal Marines forces, afloat or ashore, and on such other maritime occasions as The Lord High Admiral may command. The flag of the Lord High Admiral should be hoisted alongside HRH, The Duke of Edinburgh's Personal Standard. If doubt should arise whether the flag of the Lord High Admiral is to be flown on a particular occasion, the senior officer present is to seek the guidance of the Admiralty Board. When the Sovereign and Lord High Admiral are embarked simultaneously in the same ship or establishment, the Royal Standard is to be flown but not the flag of the Lord High Admiral.
2. (Navy Only). Whenever The Sovereign and/or HRH the Duke of Edinburgh and members of the Royal Family embark on any of HM ships, the Royal Standard is to be hoisted at the main.

## J.9102. Personal Standards

1. When, in the absence of The Sovereign, a Member of the Royal Family is present, the Member's personal standard is to be hoisted (at the main, when on board one of HM ships) and is to be treated with the same respect and saluted in the same manner as the flags denoting the presence of The Sovereign. When 2 or more Members of the Royal Family are present, one standard only – that of the senior Member present – is to be hoisted.
2. The Standard that is provided for 'other Members of the Royal Family' is to be flown similarly for any Member who does not possess a personal standard.

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3. If circumstances arise in which the Standards referred to in 1 and 2 above are not available, the White Ensign, Union Flag or RAF Ensign is to be hoisted and treated in a similar manner. (For informal visits, see Chapter 93.)

### 9103. Standards of Foreign Heads of State

1. When a foreign Head of State goes on board any of HM ships, the Standard of the Head of State is to be hoisted at the main. If the Royal Standard, or the Standard of any other Member of the Royal Family is being flown, the Standard of the foreign Head of State is to be hoisted side by side with the existing Standard.

### 9104. Admiralty Board/Navy Board

1. The Admiralty Board flag may be flown when 2 or more of the Admiralty Board members including the Secretary of State for Defence or one of Her Majesty's Ministers meet in their official capacity (see also 9110.3).

2. The Navy Board flag may be flown when 2 or more of the Navy Board members meet in their official capacity (see also 9110.3).

### 9105. Naval Boards of Commonwealth Navies

1. When Commonwealth Naval Boards meet on board any of HM ships the flags of the respective boards are to be flown.

### 9106. Flag Officers and Commodores

1. **Admirals' Flags.** Admirals of the Fleet, former First Sea Lords and Admirals who are or have been Chief of Defence Staff are to fly the Union Flag at the main when embarked in one of HM Ships or visiting one of HM establishments. The incumbent First Sea Lord is to fly the flag of an Admiral. The flag of an Admiral is to be flown at the main whilst other Flag Officers are to fly their flags at the fore. The flag of an Admiral is to take precedence over the flags of Admirals who are former First Sea Lords and former Admirals who have been Chief of Defence Staff when embarked at the same time unless otherwise directed.

2. **Commodores' Broad Pennants.** Commodores are to fly their broad pennant at the fore. Commodores RNR on the Active List are to fly their broad pennant in the ship or establishment to which they are affiliated.

3. **Authority to Fly Flags.** Only those officers of Flag rank or Commodores in command may fly the distinguishing flag or broad pennant appropriate to their rank and appointment. With the exception of the Second Sea Lord, (see 9106 3 (a) below), officers of Flag rank (and Commodores) who are not in command, such as those who hold senior staff appointments, are not authorised to fly a distinguishing flag or broad pennant afloat or ashore (see also **9107** regarding honorary officers).

a. By nature of their appointment, the Second Sea Lord is to fly a distinguishing flag appropriate to their rank, at the Main when embarked in one of HM Ships or visiting one of HM Establishments.

4. When a foreign or Commonwealth officer of Flag rank or Commodore, entitled to fly a flag or broad pennant, embarks in one of HM ships, in command of a multinational force, they may fly their flag or broad pennant as in **9106. 1 and 2**, in the same manner as their equivalent RN rank. The Commissioning Pennant should not be displaced.

5. **Distinguishing Flags Ashore.** Officers entitled to fly a distinguishing flag or broad pennant afloat are also to fly the same ashore at their headquarters or other designated location. See also Chapter 3 for rules concerning hoisting, altering, shifting and striking flags and broad pennants, together with the following references:

9110	Flags and pennants displaced
9111	Flags half-masted
9148	Flags to be flown on shore
Section III	Flags in boats, aircraft and cars

6. **Commander Maritime Reserves.** For the Commander Maritime Reserves (CMR), designated location in sub para 5 includes any Royal Navy Reserve or Royal Marine Reserve Establishment nominated by CMR.

#### **9107. Honorary Officers in the Royal Navy and Royal Marines**

1. Foreign Heads of State and distinguished persons holding commissions as honorary officers in the Royal Navy and Royal Marines are listed in the Navy List. Honorary officers, when visiting ships or establishments in Naval or Royal Marines uniform, may fly the distinguishing flag of their rank should they desire so to do. Such flags are to receive the same courtesies as are awarded to the distinguishing flags of equivalent rank Royal Naval or Royal Marines officers on the Active List.

#### **2. The Vice Admiral of the United Kingdom**

a. When the holder of the appointment of Vice Admiral of the United Kingdom is an Honorary or retired officer, a warrant is issued which allows the holder to fly, as the Lord High Admiral's representative, a specially-designed flag (Burgee). This can be flown from any vessel owned by the holder of the warrant and registered in the United Kingdom for the duration of their tenure in this appointment. Use of the Burgee is restricted to the term of appointment as Vice Admiral of the United Kingdom.

b. Additionally, when the incumbent of the appointment is an Honorary or retired officer, the Burgee of the Vice Admiral of the United Kingdom is to be hoisted on occasions when the incumbent is present with anybody of Royal Naval or Royal Marines forces, afloat or ashore, and on such other maritime occasions as The Sovereign may command. If doubt should arise whether the Burgee of the Vice Admiral of the United Kingdom is to be flown on a particular occasion, the senior officer present is to seek the guidance of the Admiralty Board.

When the Vice Admiral of the United Kingdom embarks in a ship, the flag or broad pennant of any Flag Officer or Commodore which may be flying in the ship, or the masthead Ensign, is to take precedence over the Burgee of the Vice Admiral of the United Kingdom which is to be flown from another mast or in an inferior position as the case may require.

c. Should the office be conferred upon a serving Flag Officer, the existing rules (as described in QRRN 9106.3) would apply – ie the Flag Officer's command flag needs to take precedence and the Burgee will not be flown. In effect, the Burgee of the Vice Admiral of the United Kingdom would be held in abeyance. If the office is conferred upon a serving officer of Flag rank, but not entitled to fly a command flag, they would be entitled to fly the Burgee of the Vice Admiral of the United Kingdom in accordance with the regulations set out above for Honorary or retired officers.

d. The entitlement of an incumbent to fly the Burgee of the Vice Admiral of the United Kingdom ceases on that individual's relinquishment of the appointment.

#### **9108. Senior Officer's Pennant**

1. When two or more of HM ships are present in a port or roadstead, the starboard pennant may be hoisted at the starboard outer yardarm of the senior officer's ship as a distinguishing flag, in addition to the masthead pennant, provided that the ship is not already flying any other distinguishing flag or broad pennant (see also **9116**).

2. When HM ships are in company with warships of other allied nations the starboard pennant is to be flown by the senior British officer present in the manner described above, in addition to any flag or broad pennant.

3. See *also* **9116** for squadron command pennant.

#### **9109. Masthead Pennant**

1. All HM ships in commission commanded by a Naval officer, or Royal Marines officer appointed in command, and not flying a flag or broad pennant, are to fly at the main a white masthead pennant. In a fleet establishment commissioned as one of HM ships and similarly commanded, the masthead pennant is to be flown at the head of the flagstaff.

#### **9110. Flags and Pennants Displaced**

1. **By the Royal Standard.** When The Sovereign alone or in company with HRH Duke of Edinburgh embarks in a ship the flag or broad pennant of any Flag Officer or Commodore which may be flying in the ship is to be hauled down and the Royal Standard hoisted as in **9101**. When the Royal Standard only is hoisted any other flag or broad pennant is to be shifted to another mast or to an inferior position or to another ship as the case may require, or in accordance with The Sovereign's pleasure. The masthead pennant is always to be hauled down when the Royal Standard is hoisted.

2. **By a Personal Standard.** A personal standard or flag used to indicate the presence on board of any other member of the Royal Family or of any foreign Sovereign, President or royal personage, is always to be flown at the main, any other flag or broad pennant being shifted to another mast or to an inferior position or to another ship as requisite.

3. **By the Admiralty/Navy Board Flag.** When the Admiralty or Navy Board flag is hoisted in a ship the flag or broad pennant of any Flag Officer or Commodore which may be flying in the ship is to be shifted to another mast or to an inferior position or to another ship as the case may require. The masthead pennant is to be hauled down whenever the Admiralty or Navy Board flag is hoisted.

4. **By an Admiral's Flag or Commodore's Broad Pennant.**

a. When the distinguishing flag of an Admiral or the broad pennant of a Commodore is hoisted in a ship or establishment commissioned as one of HM ships, the masthead pennant is to be hauled down. (See **9109**).

b. When the distinguishing flag of an Admiral senior in rank is hoisted in a ship or establishment commissioned as one of HM ships, any flag or broad pennant already flying is to be hauled down. This includes those establishments where a broad pennant is flown to denote a Commodore in command.

5. **Other Authorities.** The distinguishing flags of the authorities referred to in **9105** and **9112** are not to displace at the masthead any Flag Officer's flag, Commodore's broad pennant or masthead pennant. Such distinguishing flags should be hoisted at another mast; when this is not possible they should be hoisted side by side with the existing flag or pennant.

#### **9111. Flags Half-Masted**

1. On the death, otherwise than in battle (see Chapter 3), of a Flag Officer or Commodore whose flag or broad pennant is flying in one of HM ships or naval establishments, their flag or broad pennant is to be half-masted and kept at half-mast until sunset on the day of the funeral, when it is to be hoisted close up and finally struck, but if the funeral is to take place at a distance from the place where the flag or broad pennant is flying, it is to be kept at half-mast until sunset on the day on which the body is removed from that place.

2. A flag or broad pennant which has been struck in accordance with **0325.5** may be temporarily re-hoisted for the purpose of Clause 1.

3. Masthead pennants are not to be half-masted.

4. Instructions on half-masting colours are given in **J.9139**.

#### **9112. Distinguishing Flags of Commonwealth Heads of State, Governors-General and other National or International Authorities**

1. Notwithstanding the following instructions, local advice should be sought and local regulations confirmed before these flags are hoisted in HM ships.



## **BRd 2**

2. The distinguishing flags of Commonwealth Heads of State, Governors-General, Governors and other officers administering a government, of the Chief of the Defence Staff, Commanders in Chief of Joint Commands and other Joint Commanders, of General and Air Officers Commanding and of officers of HM Diplomatic Service may be hoisted as follows:

- a. When being saluted by HM ships (see Chapter 94).
- b. Within the limits of their governments, commands, commissions or jurisdictions as the case may be:
  - (1) At the bow of a boat in which embarked for the purpose of paying official visits or on other official occasions; if the boat belongs to one of HM ships a White Ensign is also to be worn. If the boat belongs to the Royal Fleet Auxiliary an RFA Ensign is to be worn.
  - (2) Subject to the senior officer's approval, in one of HM ships or RFAs when embarked on the public service.
  - (3) With the sanction of the owner or Master, in British registered ships and boats, other than those of The Sovereign, when embarked for the purpose of paying official visits or for passage on the public service.
  - (4) These regulations shall be deemed a sufficient warrant to the Master under the Merchant Shipping Act 1995 (MSA 95) for so doing. The permission to hoist such masthead flags indicative of the presence on board of any of these authorities in no way affects the character or status of the merchant ship in time of peace or in time of war, whether The Sovereign is belligerent or neutral.

3. When instructions are received for the embarkation of one of the authorities referred to in Clauses 1 and 2 for passage on the public service, the senior officer present is, in the absence of special instructions from superior authority, to issue the necessary instructions for the hoisting of the proper distinguishing flag, provided that, after consultation with and requisition from the authority about to be embarked, the senior officer present considers it for the benefit of the service about to be performed that such a flag should be hoisted within the authorized limits. Should the senior officer present consider it undesirable in the circumstances that the flag should be hoisted, the senior officer present is to inform the authority of their reasons and at once report the same for the information of the Ministry of Defence.

4. When an ambassador is embarked, or when a governor, as defined in Chapter 94, is embarked for passage on the public service outside the limits of their government, etc, special instructions will be issued about the distinguishing flag to be flown. In the absence of such instructions the senior officer present is to use their discretion in consultation with the authority about to embark.

5. The distinguishing flag of consular authorities is not to be hoisted in ships, except when they are being saluted. It may be flown in boats as in Clause 2b(1).

### 9113. Joint Commanders

1. In joint operations, should the officer commanding, appointed in a joint capacity and being of one star rank or above, be embarked in one of HM ships or RFAs, the appropriate Unified Commander joint service distinguishing flag or pennant should be hoisted at the fore to denote the presence of the headquarters. Such a flag is not to displace a maritime commander's flag or broad pennant, if both are embarked in the same ship, or the masthead pennant of the ship, but is to be flown superior to existing flags to indicate that the joint commander is in overall command of maritime forces.

### 9114. Commodore Royal Fleet Auxiliary

1. The Commodore, Royal Fleet Auxiliary flies his blue broad pennant in a similar manner to the broad pennant of a Commodore RN or RNR.

### 9115. Alternative Positions for Hoisting of Flags and Ensigns

1. In ships with masts and superstructures that do not allow the hoisting of flags and ensigns at the customary or authorized positions, such flags may be hoisted at another mast or, if necessary, at the yardarm.

2. In some cases where a position is available the airflow would be inadequate during normal wind conditions; in others, radio hazards may preclude the use of an otherwise suitable position.

3. The blocks provided for such purposes will be indicated in the drawing of the ship's aerial and VS rig. Such positions will be additional to those required for signal flags, and no change is to be made without proper authority.

4. The following alternative positions (which are listed in order of preference) should be used:

a. Standards, distinguishing flags, broad and masthead pennants and ensigns to denote the presence of a distinguished personage on board, as a proper distinguishing flag, during gun salutes, or for display during dress ship:

(1) Where the customary or authorized position is the main masthead:

(a) Fore masthead.

(b) Main yardarm (port or starboard as appropriate) as high as possible.

(c) Fore yardarm (port or starboard as appropriate) as high as possible.

(2) Where the customary or authorized position is the fore masthead:

(a) Main masthead (but see **9108.2** and **9116**).

(b) Fore yardarm (port or starboard as appropriate) as high as possible.

(c) Main yardarm (port or starboard as appropriate) as high as possible (but see **9107.2**).

b. White Ensign at sea, when a staff on the after superstructure, a mainmast gaff or spur or other center-line position is not available.

(1) Main yardarm (port or starboard as appropriate).

(2) Fore yardarm (port or starboard as appropriate).

c. Dressing-lines. When suitable center-line positions cannot be provided aloft for dressing lines blocks these should be sited at port or starboard yardarms as high as possible. In two-masted ships the blocks should be sited so that the fore-to-main is, if possible, horizontal; if this is not possible, the foremast block should be the higher.

#### **9116. Squadron Command Pennant**

1. The squadron command pennant is to be worn by Captain H and Squadron Commanders in command of MCM (MCM1, MCM2, COMUKMCMFOR), Patrol Boat and Fishery Protections squadrons, when embarked in a vessel of their squadron to indicate their presence onboard. The pennant should be worn at the starboard yardarm and at the foremast in a two masted ship. The pennant will not displace the masthead pennant and will not be displaced by a distinguishing flag or broad pennant of a Flag Office or Commodore. If a Squadron Commander, is also the senior officer present, when it would be appropriate to fly the starboard pennant in accordance with **9108**, the squadron command pennant should be shifted to the starboard inner yardarm or other suitable location. (see also **9115**) The squadron command pennant is not to be worn in boats, on motor cars or hoisted ashore.

#### **9117. Queen's Harbour Master**

1. The Queen's Harbour Masters of HM Naval Bases and other ports, when so appointed, are to fly the distinguishing flag of this appointment at their place of duty. This flag is also to be flown in boats whenever a Queen's Harbour Master, or any other officer acting with their authority, is afloat on duty in their official capacity (see also **9176**).

#### **9118. NATO Flag**

1. The NATO flag is to be flown at the yardarm in HM ships and RFAs that are part of formed NATO squadrons or Standing Naval Forces (see also **9148.5a**).

#### **9119. North Sea Fishery Pennant**

1. This pennant is to be flown in HM ships engaged on fishery protection duties in the UK EEZ. It is also flown in fishery protection vessels of other government departments, and fishery protection vessels of other nations' maritime forces.

### 9120. Paying Off Pennant

1. HM ships are only to fly this pennant when leaving harbour for the final passage to their paying off port, and again on entering harbour for the final time before paying off. It is customary for a paying off pennant to be approximately the same length as the ship in which it is flown.

### 9121. United Nations Flag

1. HM ships and RFAs may, from time to time, be called upon to operate under the auspices of the United Nations. In these circumstances they may be required to fly the UN flag at a yardarm, but should only do so when ordered by MODUK, Fleet Commander or PJHQ.

### 9122. Suit of Colours

1. It is deemed inappropriate to use a suit of colours – see 9132.1 as a table covering or as a masking of boxes, barriers or intervening space between floor and ground level on a dais or platform. The use of any of the suit of colours for a table covering could be considered as an insult to the national flags of the United Kingdom, their use as a table covering for award ceremonies or Splicing the Mainbrace is not authorised. The use of any of the suit of colours to cover a statue, monument or plaque for an unveiling ceremony is not common practice and is discouraged.

2. The suit of colours should never be flown in a dilapidated or damaged condition or when soiled. To do so is to show disrespect for the nations they represent.

### 9123. Surface Flotilla Efficiency Flag

1. On receipt of the annual award signal to a Capital Ship, Destroyer, Frigate, HM Unit, MM and PP the Surface Flotilla Efficiency Flag is to be flown on the following occasions:

- a. Entering and leaving harbour.
- b. Whilst alongside UK and foreign ports.
- c. Whilst conducting a Replenishment at Sea. **(Not to take priority over signal/distinguishing flags and Ensigns. Or subject to halyard availability).**
- d. Whilst in company with other units.

2. The flag is to be struck on release of the next winners signal.

### 9124–9130. Unallocated

## **SECTION II - COLOURS**

### **9131. Queen's Colour and White Ensign**

1. The Queen's Colour is to be paraded on board HM ships of the Fleet and on shore on the following occasions:
  - a. By a guard of honour mounted for Her Majesty the Queen, His Royal Highness the Prince Philip, Duke of Edinburgh, or for any other member of the Royal Family.
  - b. By a guard of honour mounted for a Commonwealth or foreign Head of State. (See also Chapters 92–94).
  - c. At parades to celebrate the birthday of The Sovereign.
  - d. On such important ceremonial occasions in the United Kingdom, Crown Dependencies and United Kingdom Overseas Territories as may be ordered by or on behalf of the Defence Council; or in Commonwealth countries on occasions of important ceremonial when the Governor-General, Governor or Head of State is present, as may be directed, and after consultation with the authorities of the country concerned.
2. The Queen's Colour is not to be paraded on occasions other than those listed above; nor is it to be paraded in any country of which Her Majesty The Queen is not the Head of State, nor in any territory which is not a part of Her Majesty's realms.
3. The Queen's Colour is to be lowered only to Her Majesty the Queen, His Royal Highness the Prince Philip, Duke of Edinburgh, other members of the Royal Family, as Her Majesty pleases, Commonwealth or foreign Heads of State, designated members of the reigning families of Commonwealth or foreign indigenous monarchies, Governors-General, Governors and Lieutenant Governors, as defined in Chapters 92–94, or special Royal Commissioners acting on behalf of the Sovereign, within their jurisdiction.
4. The Queen's Colour when carried uncased is to be received at all times with highest respect with arms presented, officers and warrant officers, together with senior ratings/NCOs in charge of formed units, saluting and band playing the National Anthem.
5. In the countries of the Commonwealth other than the United Kingdom on occasions at which the parading of the Queen's Colour is not authorized, the White Ensign may be carried by naval and Royal Marines landing parties at important ceremonial reviews or international maritime displays on shore at the discretion of the Flag Officer or senior officer present.
6. In foreign countries recognized by Her Majesty's Government the White Ensign may be carried by Naval and Royal Marines detachments on important ceremonial occasions:
  - a. When the Head of State or their representative is present; or

b. When the omission of the White Ensign might cause misunderstanding or offence. On these occasions Commanding Officers, in consultation with the senior officer present, may adapt the rules in BR 1834, *Royal Navy Ceremonial and Drill* to suit local conditions or ceremonial.

7. In the United Kingdom the White Ensign may be carried in parades to mark the granting of the freedom of a borough or city to a ship or shore establishment and in consequent ceremonies in recognition of that freedom. For all other occasions (other than as in Clause 8), the White Ensign is to be carried only as may be authorized by or on behalf of the Defence Council.

8. Within the boundaries of Naval establishments, the White Ensign may be carried at parades which are specifically for the purpose of rehearsals or training for the occasions mentioned above.

9. Details of ceremonial procedure are given in BR 1834, *Royal Navy Ceremonial and Drill*. See also **9101.2** on the Royal Standard and **9148.4** for use of the White Ensign at a saluting base or when 'beating retreat'.

10. Regulations concerning the presentation, custody, parading and laying up of Queen's and Regimental Colours of the Royal Marines are contained in Queen's Regulations for the Army, and detailed instructions are to be found in the Royal Marines Drill Instructions (BR 2118). Commanding Officers may also seek advice and guidance from the Commandant General Royal Marines and the corps Heraldic Committee.

## **9132. Wearing of Colours by Ships in Commission**

1. A suit of colours worn by HM ships in commission comprises the White Ensign, Jack (Union Flag) and a White Masthead Pennant. These flags are the formal acknowledgement of the British national character, sovereignty and status of the ship in which they are flown. All HM ships in commission are to wear colours as laid down in the following Clauses. In the special case of ships undergoing contractors sea trials see **9142**.

### **2. Peacetime**

a. The White Ensign is to be worn as follows:

(1) During the hours laid down in **9136**, on all occasions.

(2) Outside the hours laid down in **9136**, whenever one of HM ships takes up their berth or gets under way, the Ensign is to be flown.

(3) Outside the hours laid down in **9136**, when one of HM ships or a foreign warship is under way (except when carrying out a cold move) between sunrise and five minutes to morning colours and between evening colours and sunset, all ships in their vicinity which are not under way (except those in dry dock) are to hoist their Ensign. The Ensign is to remain hoisted until the ship underway is either alongside or clear of port, or until five minutes to morning colours whichever is the soonest, when Ensigns flying in accordance with this rule are to be hauled down in ships not under way; such ships are to hoist their Ensigns after evening colours if a ship is then under way as above before sunset.

(4) Continuously day and night, by any of HM ships which is under way flying a Royal Standard or escorting a vessel which is flying a Royal Standard, or flying or escorting a foreign Royal Standard of a Commonwealth or foreign indigenous monarchy or a presidential standard of a Commonwealth or foreign republic state (see also **9134**).

(5) As directed, when ships are dressed (**9140**).

b. The Union Flag is to be worn as a Jack as at a(4) and (5) and, during the hours laid down in **9136**, by ships in harbour, at anchor, secured to a buoy or alongside, but not when in dock or conducting a “cold move”.

3. **Wartime.**

a. **Battle Ensigns.** In time of war, and at any other time when HM ships are on active service in armed conflict, colours are to be worn as for peacetime in Clause 2 above. Furthermore, the White Ensign is to be worn continuously by day and by night when underway. When in action, two battle Ensigns are to be displayed in the most conspicuous position without interfering with operational requirements or signaling equipment.

b. **Ensigns Shot Away.** Should an Ensign be shot away or otherwise damaged beyond recognition, a replacement is to be hoisted immediately by any means available.

c. **Auxiliaries.** These instructions are also to be followed by Commanding Officers of Royal Fleet Auxiliaries when in operational support and in the company of fighting units.

4. **Ships Not in Commission.** Ships not in commission are not to wear colours except as prescribed in **9142**.

5. **Ships Out of Routine.** Ships undergoing maintenance, modernisation, conversion, refit or extended docking in one of HM Naval Bases or contractor's yards may, subject to the approval of the local Naval Base Commander, request to go out of routine and, as such, be exempt from the requirement to wear the Jack. Such ships are to indicate their special condition by flying the Port Flag (vertical red and white stripes) at the port outer yardarm by day and night. A White Masthead pennant is still to be worn. Ships out of routine are to exchange marks of respect with passing warships in accordance with **9224**. Ships Out of Routine are to ensure that they continue to carry out colours and sunset ceremonies on a daily basis when out of routine in accordance with 9132.2.

6. **Ships on Dormant (Dead Ship) Leave.** Subject to the approval of the local Naval Base Commander, ships of MCM, Patrol Boat and Fishery Protection Squadrons which are wholly unmanned on dormant (dead ship) leave and berthed within one of HM Naval Bases, may additionally be exempt from the requirement to fly Ensigns for the duration of the period that they are out of routine (see **9132.5** above). However, they must continue to fly a white masthead pennant by day and night to indicate that they are in commission. Such ships are to indicate their special condition by flying Flag One inferior to the Port Flag required under **9132.5** above.



This relaxation does not apply to ships which, although on dormant leave, are still manned by ship-keepers. If a wholly unmanned ship is berthed outboard of the manned ship, this will exempt the manned ship from the requirement to exchange marks of respect with other ships in accordance with **9224**.

**7. Ships under Dockyard Control.** Ships that have their care and protection wholly undertaken by dockyard authorities, may, subject to the approval of both the local Naval Base Commander and the Yeoman of the Admiralty, request to go out of routine (dockyard control), and, as such will be exempt from the requirement to fly the Jack and Ensign, however they must continue to fly a white masthead pennant by day and night to indicate that they are still in commission. Such ships are to indicate this authorisation by flying Flag Two inferior to the Port Flag required under Para 9132.5 above.

### **9133. Manner of Wearing Colours**

1. In harbour and when under way in pilotage waters the White Ensign is to be worn at the ensign staff. At sea it is normally to be worn, in a one-masted ship, on a staff in a suitable position on the after superstructure, and in a two-masted ship at a small gaff on the mainmast. On ceremonial occasions at sea the Ensign may be worn at the Ensign staff at the discretion of the Commanding Officer, or as ordered by the senior officer of the Squadron, who is to ensure uniformity. See **9115** on alternative positions for the sea Ensign when a staff or gaff is not available.

2. The Union Flag, is to be flown at the jack staff and is to be of smaller dimensions than the Ensign – see BR 67 Chapter 11 for relative sizes for different classes-of ship.

3. **Ensign Variations.** There are many derivatives of the Ensigns of Her Majesty's fleet in use within the United Kingdom and overseas, and which Commanding Officers may encounter from time to time. These are described further in **9153–9154**.

### **9134. Commonwealth and United Kingdom Overseas Territories and their Associated Vessels of War**

1. **Commonwealth Flags.** Each Commonwealth nation has a unique range of flags, Ensigns and Standards, together with ceremonial procedures involving their use. However, in general, Commonwealth custom and practice derives from Royal Navy tradition, albeit sometimes modified to suit local requirements. In cases where doubt exists, and if YOTA or local Naval, or British diplomatic authorities are unable to offer suitable advice, flag ceremonial should continue or be conducted in accordance with these regulations.

2. **Commonwealth Vessels of War.** Warships and public service vessels of each maritime nation within the Commonwealth are provided with a unique suit of colours. However, changes in style or design are occasionally made and Commanding Officers expecting to encounter Commonwealth warships, or proceeding through waters adjacent to Commonwealth countries, should ensure that they hold up to date details of Commonwealth flags and Ensigns before deployment (BR 20).

3. **United Kingdom Overseas Territories.** There are 13 United Kingdom Overseas Territories in addition to the 3 Crown Dependencies. None of these have indigenous Naval forces, although some have auxiliary or cadet units. In these territories and dependencies, Royal Navy custom and practice should be followed unless specific instructions to the contrary are issued by either Fleet Commander or local authorities.



4. **Commonwealth and United Kingdom Overseas Territories Public Service Vessels.** Civilian manned public service vessels fulfil similar roles throughout the Commonwealth as they do in the United Kingdom, and generally wear the Naval, Government or Civil Ensign of the country concerned as their colours. In the United Kingdom Overseas Territories such vessels normally wear the Blue Ensign defaced with the badge of the territory, although in some cases a Red Ensign (defaced or otherwise) may be used. No formal ceremonial is required in respect of such vessels, however Commanding Officers should extend appropriate courtesies as they see fit in prevailing circumstances. Further information on British overseas Ensigns is given in **9153** below.

#### **9135. Army and Royal Air Force Ensigns**

##### **1. Army**

a. **HMAVs.** HMAVs when in commission wear the Blue Ensign defaced with the Army badge in gold which denotes they are commanded by a commissioned officer. HMAVs wear the Union Flag as their Jack.

b. **Other Army Vessels.** All other Army vessels, manned by mixed crews of Army and civilian personnel, are authorised to wear the Blue Ensign defaced with the RLC crossed swords device. Army vessels follow similar custom and practice to Naval vessels in ceremonial and use of flags.

##### **2. Royal Air Force**

a. **HMAFVs and RAFMCs.** There are no vessels currently in commission in the service of the Royal Air Force. However the Royal Air Force Ensign remains a maritime Ensign in every particular and would wear the Union Flag as their Jack.

b. **RAFSA.** Of the several derivatives of the Royal Air Force Ensign, only the Ensign of the Royal Air Force Sailing Association (RAFSA) is designated for use afloat as national colours by authorised craft.

#### **9136. Colours - Hoisting and Hauling Down**

1. **Daily Routine.** HM ships, when lying in home ports and roads, are to hoist their colours at 0800 from 15th February to 31st October, inclusive, and at 0900 from 1st November to 14th February inclusive, but when abroad, at 0800 or 0900 as the Commander in Chief shall direct; and they shall be worn if the weather permits or unless the senior officer present sees objection thereto or directs otherwise, throughout the day until sunset, when they are to be hauled down. (See Chapter 94.) The ceremony of Evening Colours is to be carried out at sunset, or at 2100 local time when sunset falls after that time (see also BR 1834). Riding lights are to be switched on at sunset and off at sunrise.

2. **In the Presence of The Sovereign.** Whenever The Sovereign is onboard any of HM ships with her Standard flying, colours in all of HM ships present are to be hoisted and hauled down at the same time as the colours in the ship bearing the Royal Standard.

3. **Training Establishments.** In shore training establishments, whenever trainees under instruction conduct the ceremonies of Morning and Evening Colours, special arrangements may be authorised by the Commodore or Commanding Officer of the establishment to accommodate the particular requirements of daily training routines.

### **9137. Embarked Royal Marines Units**

1. The flag of the Commando Brigade or any other Royal Marines or Commando unit may be flown throughout the period that the unit is embarked in one of HM ships or RFAs. Details of all Royal Marines regular forces and reserve unit flags and badges may be obtained from the Headquarters Royal Marines. If the correct unit flag is not available the Corps Flag itself may be flown in its place.

### **9138. Lowering Flags**

1. HM ships are never on any account to lower their flags to any other ships whatsoever, unless such other ships shall first lower their flags in salute to HM ships.

2. By custom, and as an act of courtesy, merchant ships lower their colours to warships. HM ships are to be punctilious in returning such salute, but are to be careful to avoid any suggestion of awaiting this mark of respect. Commanding Officers are to be conscious of the reduced manning of merchant ships, and be aware that crew members may not readily be available without warning to lower their ensigns in salute.

3. Nevertheless any flagrant or repeated cases of disregard of this practice, particularly by British registered merchant ships, are to be reported to MODUK NAVY (for DNO) and the Fleet Commander by the Commanding Officer or senior officer present.

4. Royal Fleet Auxiliaries are to be punctilious in lowering their colours to Commonwealth or foreign ships of war which they encounter. Royal Fleet Auxiliaries, and warships undergoing Contractors sea trials, flying the Government Service Ensign, are not required to lower their colours to warships of the Royal Navy of which they form an intrinsic part.

5. See *also* **9155**, Hoisting national colours by merchant ships and private vessels, **9156** Proper colours for merchant ships, and **9157** Wearing of improper colours.

### **J.9139. Half-Masting Colours**

1. **Half-Masting by Day Procedure.** (*Navy only.*) When colours are ordered to be half-masted throughout the day, the Ensign and Jack are to be hoisted close up when colours are conducted in the morning and immediately lowered to half-mast. At sunset they are to be hoisted close up prior to being hauled down.

2. **Funerals on Shore.** (*Navy only.*) When colours are ordered to be half-masted for a funeral on shore they are to be lowered at the time the funeral procession is due to leave the place where the body has been lying, and re-hoisted when sufficient time has elapsed for the interment. See *also* **9111**, Flags half-masted, and Chapters 92–95.

3. **Bodies Sent Out of Ship.** (*Navy only.*) When a body is sent out of a ship, colours are to be half-masted when the body is removed from where it has been lying on board and re-hoisted when sufficient time has elapsed for the interment; but when removed to await interment, colours are not to be half-masted, but the boat conveying it is to wear a boat's ensign at half-mast.

4. **Funerals at Sea.** (*Navy only.*) For a funeral at sea, colours are to be half-masted when the body is removed from where it has been lying and re-hoisted when the funeral service is ended.

5. Instructions on the half-masting of ships' colours, Union Flags or Ensigns will be issued by the MOD to PJHQ, principal independent RN, RM, Army and RAF commanders and to the UK National Military Representatives at International Defence Organizations. Recipients of these instructions are to make arrangements to disseminate the information by the quickest means available to subordinate headquarters and units and to British elements of organizations within their areas. Implementation of these instructions overseas may be subject to variation at the discretion of Service Commanders abroad who should liaise with their local UK political representative so as to ensure a common policy applicable to local circumstances. The following are a guide to procedures until confirmation has been promulgated by the MOD:

a. On the death of The Sovereign. All flags are flown at half-mast from the announcement of the death of The Sovereign up to the end of the day of the funeral, with the exception of Proclamation Day, when they are hoisted to the top of the flagpole from 11 am (local time) to sunset.

b. On the death of a Member of the Royal Family. All flags are flown at half-mast, subject to the Sovereign's wishes, from the day of death up to the end of the day of the funeral.

c. On the death of a foreign sovereign, head of state or other distinguished foreign or Commonwealth national (as promulgated by the MOD). All flags are flown at half-mast on the day of the funeral.

d. On the death, when holding office, of a Defence Minister, the Chief of the Defence Staff, the Chief of the Naval, Army or Air Staff of the Defence Board or the Permanent Under Secretary of State. All flags are flown at half-mast on the day of death and all day on the day of the funeral.

e. On the death of a serving military officer or other rank. Flags to be flown at half-mast on the day of death, the day of repatriation and on the day of the funeral until after the burial when the flag will be full masted to denote the end of military mourning. It is anticipated that usually action would be limited to the unit and the immediate superior formation of the deceased.

6. Ships' colours, Union Flags and Ensigns may, at the discretion of the senior officer in consultation with the local political representative be half-masted as a matter of courtesy to conform to local national mourning.

7. Where the Union Flag or Ensign is flown in company with the national flag or flags of any other country or countries (including Scotland, Northern Ireland and Wales) it is to be half masted as a matter of courtesy whenever the other national flag is half-masted.

8. In foreign ports, HM ships and vessels should conform when warships of the country concerned half-mast their colours on the death of one of their nationals other than the sovereign or head of state. If a foreign ship is in a British port on such an occasion, HM ships and vessels in company should half-mast their colours on the day of the funeral only unless the Defence Council issues special orders.

9. HM ships and vessels approaching or leaving an anchorage or port where any other HM ships or vessels are flying a foreign Ensign or national flag at half-mast, or have their colours at half-mast, are to conform while in sight of the ships in port. Harbour Ensigns are to be half masted immediately on hoisting when shifting from the sea Ensign to the harbour Ensign.

10. (*Navy only.*) When it is directed that 'flags' are to be half-masted, this is to be construed to mean the Ensign and Jack.

11. Flags flown at half-mast are to be flown with the top of the flag positioned two thirds of the way up the mast/halyard, but not less than one flag breath from the top, should the flag be sufficiently low to be in contact with the ground/deck then consideration should be given to reducing the size of the flag.

12. Flags cannot be flown at half-mast on poles that are more than 45° from the vertical, a mourning cravat can be used instead, this is fitted to the top of the spike or pole and allowed to hang. A typical cravat is a length of black silk or cotton material 50-100mm in width and twice the length of the flag, it should be tied in a small bow so that the two ends are of equal length. The same applies to unit Colours, standards and Guidons that are carried during a period of mourning when the correct term is draping of Colours.

13. Flags that are flown permanently at any location are not to be flown at half-mast during the hours of darkness.

14. When flags are to be at half-mast from morning colours until sunset flags are to be first hauled fully up and allowed to remain in that position of a short period before being lowered iaw para 11 above. When flags that are flying at half-mast are to be lowered they are first to be hoisted fully up prior to lowering at sunset/the end of the day

15. All flags that are on the same stand of poles should be at half-mast or should be removed for the duration that other flags are at half-mast. Flags of foreign nations should not be flown unless their country is also observing mourning.

16. United Kingdom national flags when flown abroad should also be at half-mast. If the flag is flown on the same stand as the host nations flag, then the host nations flag should not be flown unless that nation is also observing national mourning. Where a British national flag is flown alongside a number of other nations' flags such as outside a multinational Headquarters, it is considered inappropriate to remove all other flags in order to fly the United Kingdom national flag at half-mast. In these circumstances the United Kingdom National flag should not be flown for the duration of mourning. In case of doubt, the British Embassy, consulate or High Commission should be consulted.

## 9140. Dressing Ship

1. **National Occasions.** From Colours to Sunset (or Evening Colours if earlier) ships in port or at ceremonial anchorages are to dress overall on the following occasions:

- a. Her Majesty's official birthday (date published annually by signal from YOTA).  
Her Majesty's birthday (21st April).  
His Royal Highness the Duke of Edinburgh's birthday (10th June).  
His Royal Highness the Prince of Wales (14<sup>th</sup> November)  
Accession Day (6th February).  
Coronation Day (2nd June).  
Commonwealth Day (second Monday in March).



**Note.** When anniversaries fall on a Sunday, Good Friday or other occasion of Divine Service, ships also dress on the following day with masthead flags only, while the salute is being fired (see also Chapter 94).

- b. Between such times as may be ordered by the senior officer present:

(1) When in the presence of a Royal Standard or the flag or standard of a Commonwealth or foreign Head of State.

(2) On certain Commonwealth and foreign ceremonial occasions when in the presence of ships, or in the waters, of the countries concerned. Ships visiting Commonwealth or foreign ports should seek guidance on national anniversaries and festivals from the British Defence Adviser or Naval Attaché, or local authorities in the countries concerned.

2. **Dressing with Masthead Ensigns.** On the occasions for dressing ship overall, prescribed in **9140.1** above, HM ships are to dress with masthead flags only (by flying Ensigns of the appropriate size at each available masthead together with the customary Ensign and Jack) in the following circumstances:

Underway in the vicinity of a port or anchorage.

Underway escorting a Royal Standard

When operations, weather or maintenance render dressing overall inexpedient or dangerous

Undergoing refit or in dry dock for other purposes

Proceeding to sea less than one hour after Morning Colours

Berthing or anchoring after 1600 local

Not fitted with dressing lines

Out of routine and flying the port flag (see **9132.5**)

3. **Ships Flying Distinguishing Flags or Pennants.** On occasions when HM ships are dressed in honour of a British ceremonial occasion or personage, ships flying the flag or broad pennant of a Flag Officer or Commodore or other distinguishing flag are to hoist the White Ensign only at those masts at which there is no distinguishing flag. Other ships are to hoist the White Ensign at each mast.

4. **Commonwealth or Foreign Occasions.** When HM ships are dressed in honour of a Commonwealth or foreign occasion or personage, the Naval Ensign of the country concerned is to be hoisted as detailed below. However, should the country or territory not possess a Naval Ensign, or should the Naval Ensign not be available, the next available flag taken from the following order of preference should be hoisted.

Naval Ensign  
Government Ensign  
Civil Ensign  
State Flag  
Civil (National) Flag

Not all countries possess a full range of such flags and in several cases a single flag is used for all purposes. Where none of these flags are available, or where doubt exists, or where there is concern that flying the incorrect flag may cause offence, the White Ensign should be flown instead. In every case local advice should be sought and local custom followed wherever possible.

HM Ship	Position of courtesy flag
Single-masted ship flying a Royal Standard or other distinguishing flag or pennant	Side by side with the Standard, flag or pennant
Other single-masted ships	The other country's Naval Ensign (or, in its absence, the other flags in order of preference outlined above)
Multi-masted ships flying a Royal Standard	At the fore
Multi-masted ships flying a distinguishing flag	At the main (with distinguishing flag or broad pennant at the fore)
Other multi-masted ships	At the main, with White Ensign at other masts

5. In the event of a UK and foreign national occasion coinciding, HM Ships and RFAs are to dress with the White Ensign at the masthead. However, should this situation occur in a port or ceremonial anchorage of the commonwealth or foreign nation celebrating, then guidance should be sought from the local British Consul and if necessary the appropriate foreign Ensign should be used (9140.4).

#### 6. **Dressing Ship whilst Half-Masting**

a. **United Kingdom Bereavement.** If an occasion for dressing ship falls on a day when colours are to be half-masted (i.e. on a day of national bereavement in the United Kingdom such as the funeral of a national VIP), only the Ensign and Jack are to be half-masted. Masthead ensigns are to remain close up and salutes should not be fired.

b. **Commonwealth or Foreign Bereavement Recognised by Her Majesty's Government.** If an occasion for dressing ship falls on a day when colours are to be half-masted for a Commonwealth or foreign bereavement which is formally recognised by Her Majesty's government (for example the death of a foreign Head of State), the procedure laid down in 9140.6a above should be followed.

c. **Commonwealth or Foreign Bereavement Not Recognised by Her Majesty's Government.** An occasion for dressing ship may fall on a day when warships of Commonwealth or foreign nations, which are either in company with or lying in the same port as HM Ships, half-mast colours for a national bereavement which is not formally recognised by Her Majesty's government. In this event, HM ships may still be dressed and salutes fired as usual. However, Commanding Officers are to be sensitive to the presence of warships of the bereaved nation. The senior British officer present must explain in advance to the Commanding Officers of the ships of the bereaved nation the reason for dressing ship and firing salutes, taking full account of local sensitivities and taking advice from superior authority if necessary. Should the senior officer present consider that unnecessary offence may be caused, he may modify instructions locally, if necessary, by ordering ships to dress with masthead Ensigns alone and for salutes not to be fired.

7. **In Shore Establishments.** On occasions when HM ships are dressed overall shore establishments commissioned as HM ships are to dress with masthead Ensigns only, unless particular arrangements have been made and approved by the Chief of Naval Staff/First Sea Lord, for the rigging of short dressing lines to the Ensign mast. When an establishment is dressed overall or with masthead Ensigns (see **9148.1**) the additional White Ensign is to be flown at the starboard yardarm.

#### **9141. Dressing Ship by Commonwealth Navies**

1. Royal Navy custom and practice is generally followed throughout the Commonwealth, however local differences may exist; Commanding Officers are to be mindful of this and ensure RN compliance wherever possible and appropriate, especially in those countries of which The Sovereign is also the Head of State.

#### **9142. Launching Ceremonies, Contractors Sea Trials and Commissioning Ceremonies**

##### **1. Launching.**

a. **Ships Designated for the Royal Navy.** On each occasion of launching a ship for the Royal Navy at which there is a naming ceremony, the White Ensign is to be hoisted at the Ensign staff, the Union Flag at the Jackstaff, and the flag of the Lord High Admiral at the mainmast or suitable temporary mast erected for the purpose. These flags are to be struck once the ship has been secured alongside the fitting out berth. No other flags are to be flown. These flags should not be flown again until final acceptance of the ship from the shipbuilder. If a commissioning ceremony is to be conducted prior to the ship's final acceptance by the Royal Navy, the White Ensign and the Union Flag are to be hoisted during the commissioning ceremony and hauled down at sunset, or earlier if the ship is required to move from the berth. They are not to be hoisted again before the final acceptance of the ship from the ship builder.



b. **Small Craft and Boats.** In the case of launching small craft and boats and when full ceremony is conducted, the general practice in Clause 1 .a. above may also be followed. If this is inexpedient the White Ensign alone may be worn. If no ceremony is conducted no flags are to be flown.

c. **Ships Designated for Commonwealth Navies.** Subject to any instructions issued by the governments concerned, the foregoing procedure should be followed at launches in the United Kingdom of ships built for Commonwealth navies, with those countries' Ensigns, Jacks and Navy Board Flags (or national flags) being substituted where appropriate.

2. **Contractors Sea Trials.** During contractors sea trials, and before a ship is accepted into the Royal Navy, she is to wear the Government Service Ensign (a Blue Ensign defaced with a horizontal yellow Admiralty anchor), as her proper colours. If a Jack is worn, it is to be a small blue flag defaced with a horizontal yellow Admiralty anchor, with a Union Flag described in a canton at the upper corner next to the staff. No masthead pennant is to be flown. During this period there is no requirement for the ship to dip the Ensign to HM ships; however, the Ensign should be dipped in the customary manner to Commonwealth or foreign warships encountered at sea. When in the vicinity of commissioned warships and establishments, wherever possible the raising and lowering of colours should conform to the Senior Officer's movements.

3. **Acceptance and Commissioning.** Whenever a new ship is finally accepted into the Royal Navy, the Government Service Ensign and Jack are to be struck and the White Ensign and Union Flag are to be hoisted at the moment of commissioning, when the masthead pennant is broken out. If this occurs at night, after Sunset or Evening Colours, as appropriate, the Ensign and Jack are to be hoisted while the masthead pennant is broken out and then immediately hauled down, leaving the masthead pennant alone flying.

4. **Delayed Commissioning Ceremonies.** Notwithstanding 9142.3 above, it is often the case that for programming reasons the ceremony of commissioning takes place sometime after the formal act of acceptance and actual commissioning of a new ship. On such occasions there is no effect on the flags flown or colours worn by the ship before the ceremony, as the ship will already be entitled to wear a full suit of colours. Although the White Ensign and Union Flag may be hoisted at an appropriate point during this ceremony, the masthead pennant should remain flying throughout.

#### **9143. Courts-Martial - Ceremonial**

1. On the day on which a court-martial is to sit, the Union Flag is to be hoisted at the peak or at the yardarm as appropriate and a gun is to be fired when colours are hoisted, or at the time the signal is made if the court is ordered to sit immediately.

2. The Union Flag is to be dipped between each separate court.

3. Should the court sit for more than one day, the Union Flag is to be hoisted and a gun fired each day when colours are hoisted—or at any time previously that the court may resume its sitting. The Union Flag is to be hauled down when the court adjourns for the day.



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4. Where local conditions dictate that the firing of a gun be inappropriate it may be omitted with the permission of the local senior officer.

### **9144. Flags Hoisted when Saluting British and Commonwealth Authorities**

1. The distinguishing flags referred to in **9112** are to be hoisted at the fore, if necessary alongside any other flag or broad pennant already hoisted, when saluting the authorities mentioned. The flag should be broken at the first gun of the salute and kept flying until its completion.

2. When saluting non-naval authorities of other Commonwealth countries for whom no special distinguishing flags are authorized, the national flag of the Commonwealth country should be hoisted, except when there is an appropriate Ensign, as in the following cases:

a. The Australian Blue Ensign for Australian consular officers and the Australian Red Ensign for Australian diplomatic authorities.

b. The New Zealand Flag for New Zealand consular officers and the New Zealand Red Ensign for diplomatic and other authorities.

3. If the proper flag is not carried and cannot be obtained, when saluting any of the authorities mentioned in Clauses 1 and 2 the Blue Ensign should be used for saluting consular officers and the Red Ensign for other authorities. Should neither Red nor Blue Ensigns be available, a White Ensign may be hoisted instead.

4. Except when a standard or distinguishing flag is flying to denote the presence on board the saluting ship of the person or authority being saluted, no special flag is to be hoisted on the occasion of salutes:

a. To members of the British Royal Family (Chapters 92–94).

b. On British anniversaries (Chapters 92–94).

c. To Flag Officers and Naval or Royal Marines authorities of any Commonwealth country.

d. To authorities of the United Kingdom for whom no special distinguishing flag is authorized.

e. On customary occasions to Commonwealth countries (Chapters 92–94).

5. When HM ships fire salutes in honour of national anniversaries of other Commonwealth countries (Chapter 94), the national flag or Red Ensign (see Clause 2) of the Commonwealth country concerned should be hoisted at the main unless ships are already dressed in accordance with **9140.4**.

## 9145. Flags Hoisted when Saluting Foreign Authorities

1. The appropriate foreign Naval Ensign is to be hoisted. If the country has no Naval Ensign, or such Ensign is unavailable, the next flag in order of preference from the list below should be flown in its place (see *also* **9140.4** above).

Naval Ensign  
Government Ensign  
Civil Ensign  
State Flag  
Civil (National) Flag

Not all countries possess a full range of such flags and in several cases a single flag is used for all purposes. Where none of these flags are available, or where doubt exists, or where there is concern that offence may be caused by the flying of the incorrect flag, the White Ensign should be flown instead. In every case the advice of the local Defence Adviser or Naval Attaché, or other British consular or diplomatic officials, should be sought.

- a. At the main, when saluting another nation or a foreign Royal personage, President of a Republic or Head of State (Chapter 94).
- b. At the fore, when saluting a foreign Flag Officer or returning the salute of a foreign Flag Officer or warship, and when saluting any foreign naval, military, air or civil authority.
- c. At the main, when firing a salute in honour of a foreign national anniversary (Chapters 92–94), unless ships are already dressed in accordance with **9140.4**.

## 2. **Courtesy Flags**

a. **Warships.** HM ships are never normally to hoist courtesy flags when entering, laying alongside or leaving Commonwealth or foreign ports. If the absence of a courtesy flag is commented upon by Commonwealth or foreign officials in the port being visited, Commanding Officers are to ensure a full and polite explanation is given which makes it clear the use of courtesy flags is a merchant service practice only. If however, the local authorities are insistent upon a courtesy flag being flown before the programme for a goodwill visit is allowed to proceed, the Commanding Officer should act upon the advice of the British Defence Adviser or Naval Attaché or other local British consular or diplomatic officials as appropriate. In these special circumstances, Commanding Officers have the discretion to fly a courtesy flag if this will serve to prevent the incident escalating unnecessarily.

b. **Auxiliaries.** It is the custom amongst merchant ships entering a foreign port, and during their stay in that port, to fly the civil colours of that country at the fore masthead, and when leaving similarly to fly the civil colours of the country to which they are immediately bound. This practice is also followed by Royal Fleet Auxiliaries, but only when they are operating on their own and when not in company with HM ships, or the warships of an allied nation.

RFAs in company with warships are to comply with Royal Navy procedure and are not to fly such flags unless otherwise directed. Particular care is to be taken by auxiliaries to avoid displaying any colours of a country which may be at enmity with the country that the ship is leaving.

c. **Foreign Warships.** The custom for foreign warships visiting the United Kingdom, if they wish to fly a courtesy flag, is to fly the flag that they would fly if they were in the service of the United Kingdom. Therefore, the correct courtesy flag for a warship should be the White Ensign. A Union Flag should never be used as a courtesy flag as it is a protected flag for use at sea by the Royal Navy only. Similarly, a Red Ensign is the correct courtesy flag for a Merchantman.

d. **Flags from Affiliated Organisations.** Any flags that are or have been presented by affiliated organisations are not to be flown by HM Ships unless specifically authorised by Navy Command Head Quarters; this includes flags from individual countries within the United Kingdom, County and Regional flags plus any government or commercial agencies or other National flags. HM ships are to fly their flags iaw 9132 and 9133.

e. **Flags Flown during Replenishment At Sea.** The tradition of flying flags during replenishment may continue to be practiced, a single flag as authorised by the commanding officer, may be flown from a suitable position between flag Romeo being hauled down until the completion of the replenishment when all lines are clear, flags are not to include any flag as stated in paragraph 9145.2d.

#### **9146. Commonwealth or Foreign Ships Engaged in United Kingdom Ceremonial**

1. **During Salutes.** The White Ensign is the appropriate masthead flag to be hoisted by Commonwealth and foreign warships when salutes are exchanged with HM ships, forts or batteries, and when salutes to Flag Officers or personal salutes are fired.

2. **When Dressing Ship.** The White Ensign is also the appropriate masthead flag to be hoisted by Commonwealth or foreign warships when dressing ship to comply with United Kingdom ceremonial occasions. Naval Base Commanders and Commanding Officers should be aware that foreign authorities often assume the Union Flag is the flag to be hoisted on such occasions. Should this occur, or should there be an expectation of this occurrence, the senior naval officer should take such steps as may be appropriate to advise Commonwealth or foreign warships of the correct procedure in advance, taking care not to cause embarrassment or offence. On such occasions the correct masthead flag to be flown by Commonwealth or foreign civilian manned government service vessels is the Blue Ensign, and the Red Ensign by Commonwealth or foreign merchant vessels.

3. **Misuse of the Union Flag.** Commonwealth or foreign warships or merchant vessels may fly a Union Flag when acting as the flagship of an Admiral of the Fleet. HM Canadian ships will fly the Union Flag within Canadian waters on certain Canadian. national days or as directed by NDHQ Ottawa. Any other usage is improper. Naval Base Commanders, Flag Officers, senior officers afloat, Queen's Harbourmasters and Commanding Officers are to take such steps as they deem appropriate to minimise misuse of the Union Flag, and especially to prevent it being inverted, whilst at all times taking full account of diplomatic sensibilities and protocol.

## 9147. Condominium Territories

1. The flags of both governments exercising sovereignty should in all cases be flown during the firing of salutes by HM ships in the waters adjacent to condominium territories.

## 9148. Flags to be Flown on Shore

1. **Use of Ensigns Ashore.** At the time of their original introduction into service the Red, White and Blue Ensigns were intended for use at sea only and were never expected to be flown on shore. Formal acknowledgement of the proper use of Ensigns on shore was published by Admiralty Memorandum No 397 dated 9 September 1931, since when their use on land has become common practice. Nevertheless the maritime nature of an Ensign remains predominant and, where a conventional Ensign mast is fitted, the Ensign should always be hoisted at the gaff except for the additional masthead Ensign when establishments are dressed (see **9140.7**).

a. **White Ensign in Naval Shore Locations.** The White Ensign should generally only be used on shore in the Naval environments listed below.

Ministry of Defence Main Building  
 Shore establishments commissioned as HM Ships  
 HM Naval Bases  
 Royal Marines establishments  
 Headquarters of a Flag Officer or other senior Naval or Royal Marines officer  
 Facilities occupied by Naval lodger units in other government or service establishments  
 Naval encampments, temporary airfields and disaster relief stations  
 Patrol headquarters and other detached units, which although not independently commissioned, are in fact organized units of the Royal Navy Armed Forces Careers offices

b. **White Ensign in Civil Locations with Naval Connections.** The locations listed are exceptionally authorised to display the White Ensign on appropriate occasions due to their traditional connections with the service. Notwithstanding the provisions of **9148.2** below.

Admiralty Arch  
 All Saints Church at Burnham Thorpe  
 Headquarters of the Royal Yacht Squadron  
 HMCS HAIDA at Toronto  
 HMCS SACKVILLE at Halifax, Nova Scotia  
 HMS BELFAST at London  
 Royal Naval Benevolent Trust Home, Pembroke House  
 St Andrew's Church, West Tarring  
 St Anne's Church, Limehouse  
 St Luke's Church at Charlton  
 St Martin in the Fields Church, London  
 St Mary's Church at Woolwich  
 St Werburgh's Church, Hoo

The Cenotaph  
The Church of St Mary Magdalene, Gillingham  
The Church of St Peter and St Paul, Gravesend  
The Citadel at Charleston, South Carolina (memorial to HMS SERAPH)  
Trinity House vessels when dressed (at foremast only)

2. **Naval Support Establishments not Commissioned as HM Ships.** Ministry of Defence (Navy) civilian support establishments and logistic supply depots are to fly the Union Flag, and may also fly any recognised unit or organisational flag. They are not to fly the White Ensign except when HM ships are dressed overall or when otherwise instructed. The Union Flag is to be flown at the masthead. When the Union Flag is flown together with the White Ensign the latter should be hoisted at the gaff, or a yardarm if a gaff is not fitted. If neither a gaff nor yardarm are fitted a separate mast is to be used. The Union Flag is never to be flown from a gaff. Flags displayed in these establishments are still to be treated with all due respect, they are to be hoisted at the time prescribed in paragraph **9136** and hauled down at Evening Colours or sunset, or such fixed hour as may be appropriate to local conditions. From time to time, directives may be issued for other buildings used for Naval purposes to display the White Ensign for specific ceremonial reasons.

3. **Medical Units in Time of War.** In wartime, medical units and first aid stations are to fly the Union Flag at the masthead unless authorised to fly the White Ensign. The White Ensign should be flown at the gaff if one is fitted. The Geneva Convention (or Red Cross) flag is also to be flown in a prominent position as follows:-

At the gaff or a yardarm if the Union Flag is at the masthead  
At the masthead if the White Ensign is at the gaff  
At a separate flagpole from the Union Flag or White Ensign if a conventional Ensign mast is not fitted

4. **Beating Retreat and Ceremonial Parades.** The White Ensign may be hoisted at a suitable Ensign mast or flagpole during the ceremony of beating retreat, or at the saluting base during a ceremonial march past or review within the United Kingdom or overseas. See also **9101** (use of Royal Standard) and **9131** (carrying the White Ensign at parades).

5. **Organisational Flags, Special Unit Flags and Departmental Flags.** Such flags are always to be flown at an inferior position to the White Ensign and Union Flag.

a. **The Flag of the North Atlantic Treaty Organisation.** The NATO flag is to be flown at NATO headquarters and may be flown in establishments and buildings involved in NATO training, meetings or other formal activities. (see also **9118**).

b. **Royal Marines Unit Flags.** Royal Marines unit flags may be flown in shore establishments in accordance with the customs and practice of the Corps.

c. **Departmental Flags.** Departmental or house flags of civilian manned support organisations may be flown together with, but subordinate to, the Union Flag or White Ensign in the establishment concerned, and are to be treated in a similar manner to military unit or regimental flags. Departmental and house flags are never to be flown from a gaff. They are never to be flown by HM Ships.

d. **Accreditation, Affiliation and Association Flags.** Flags of commercial accreditations, affiliations and associations such as 'Investors in People' may be flown by entitled establishments provided they are flown on a flagpole or staff, which is separate from the mainmast of the establishment. Such flags are not to be flown on the same mast as the White Ensign and are never to be flown by HM Ships

6. **Military Flags Flown on Civilian Buildings.** It has been decreed that any flag of Her Majesty's Forces may be flown without consent providing it is not modified in any way or used as part of an advertisement.

#### **J.9149. Unified Headquarters**

1. The distinguishing flag of the Unified CinC or Commander is to be flown at the Masthead and the Union flag at the peak to denote the presence of a United Kingdom military force.

#### **9150. Unallocated**

#### **J.9151. Joint Service Units and Establishments**

1. **Joint Service Establishments.** The Joint Service Flag is to be flown at units and establishments providing they are:

- a. Under the control of the relevant complementing authority.
- b. Manned by members of more than one service for a joint purpose.
- c. Under the direct functional control of either the Ministry of Defence or the headquarters of a unified Commander; and that there are no local circumstances that may make it undesirable for him or her to fly this flag. Other establishments which although manned by personnel from more than one Service, which are primarily single Service, are to fly the flag of that Service. Exceptions to the foregoing rules are staffs of the UK National military representatives to International Defence Organisations and UK Support Units, for whom the national flag is the appropriate flag to be flown alongside those of units of other countries.

#### **J.9152. Single Service Establishments**

1. The rules regarding the flying of flags and where they are to be flown are contained in **9148**.

#### **9153. The Blue Ensign**

1. **Extent of Usage.** The Blue Ensign was reserved for government service vessels when the squadronal system was discontinued in 1864. Since then the use of both plain and defaced Blue Ensigns has developed significantly, and over one hundred defaced Blue Ensigns are in use today. Civilian manned vessels in government service, and in the service of certain organisations that were once publicly owned, are authorised to wear a Blue Ensign as their national colours. They are also entitled to wear a square version of the Ensign as a Jack, however the use of such Jacks is rare except within the Royal Fleet Auxiliary and new build ships prior to their acceptance within the Royal Navy. Ships wearing Blue Ensigns are to hoist additional Ensigns at the masthead on dress ship occasions in the manner described in **9140**. The predominant organisations whose vessels are authorised to wear Blue Ensigns are detailed below.



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2. **Blue Ensign – Undefined.** The following vessels may fly an undefined Blue Ensign

a. Royal Research Ships (RRSs) belonging to the Natural Environment Research Council (NERC). (Authorised in 1969).

b. Merchant vessels whose masters hold a warrant from the Secretary of State for Defence in compliance with Clause 5 below.

c. Yachts belonging to authorised members of privileged yacht clubs in the United Kingdom, Australia, Gibraltar and New Zealand and listed in the Navy List quinquennially. The register of members of United Kingdom clubs is maintained by the Royal Yachting Association, and of Commonwealth clubs by the Commander in Chief Naval Home Command, to whom queries should be directed if Commanding Officers are in doubt about the status of a particular yacht or yacht club.

3. **Blue Ensign – Defaced – United Kingdom.** The authorities and organisations listed at Annex B to this Section are privileged to use a distinct Blue Ensign defaced with their unique badge or seal. Most of them are within the public service, but some have been privatised since the Ensign was granted. In addition there are many defaced Blue Ensigns authorised for qualifying members of privileged yacht clubs within the United Kingdom and Crown Dependencies.

4. **Blue Ensign – Defaced – Commonwealth and United Kingdom Overseas Territories.** Blue Ensigns defaced with the appropriate seal or badge are authorised for use as land flags, and as Ensigns for government service vessels, in the territories listed at Annex 9IB. Defaced Blue Ensigns are also authorised for several yacht clubs in these territories especially in Australia.

5. **Blue Ensign – Undefined – Use by British Registered Merchant Vessels.** Vessels registered on the British Registry of Shipping may wear a plain Blue Ensign providing the master or skipper is in possession of a warrant issued by the Director of Naval Reserves under the authority of the Secretary of State for Defence, and the additional conditions outlined below are fulfilled. The Blue Ensign is to be struck if the officer to whom the warrant was issued relinquishes command, or if the ship or vessel passes into foreign ownership and ceases to be a British ship as defined by the Merchant Shipping Act 1995 (MSA 95).

a. **Merchant Vessels on Parts I or IV of the Register.** The master must be an officer of the rank of lieutenant RN/RNR or Captain RM/RMR or above in the Royal Fleet Reserve or the maritime forces of a United Kingdom Overseas Territory or Commonwealth country of which Her Majesty is Head of State, or an officer on the Active or Retired Lists of any branch of the maritime reserve forces of these countries or territories.

b. **Vessels on Part II of the Register.** This part of the Register is reserved for fishing vessels. The skipper must comply with the same criteria as for sub-Clause 5.a. above, however the crew must contain at least four members, each of whom fulfils at least one of the following criteria:-

Royal Naval or Royal Marines reservists or pensioners  
 Reservists or pensioners from a Commonwealth monarchy or United Kingdom Overseas Territory  
 Ex-ratings or Royal Marines who have completed twenty years service in the Reserves Members of the Royal Fleet Reserve

c. **Vessels on Part III of the Register.** This part of the Register is reserved for small vessels under 24 metres in length, used for recreational purposes only. Such vessels are to comply with 9153.2.c.

6. **Action on Sighting a Merchant Ship Wearing a Blue Ensign.** The Commanding Officer of one of HM ships on meeting a vessel wearing the Blue Ensign may send on board a commissioned officer to confirm that the criteria outlined above are being met in full. If it is found that the ship is wearing a Blue Ensign, without authority of a proper warrant, the ensign is to be seized, taken away and forfeited to The Sovereign and the circumstances reported to the Director Naval Reserves, acting on behalf of the Chief of Naval Staff/First Sea Lord, who maintains the list of persons authorised to hold such warrants. However, if it is found that, despite the warrant being sighted, the ship is failing to comply with the criteria in some other particular, the Ensign is not to be seized but the circumstances are to be reported to the Director Naval Reserves (See also **9153.5**).

#### **9154. Red Ensign**

1. The Red Ensign was reserved for use by the merchant marine and civilian shipping not authorised to wear other national colours, following the disestablishment of the squadronal system in 1864. Since then, the use of the Red Ensign has developed significantly and there are over thirty defaced versions of this ensign authorised for use today.

2. **Red Ensign – Undefaced.** The Red Ensign without any defacement or modification is the proper colours for all commercial ships and private vessels and craft listed on the British registry of shipping, or which would be placed on that register if they were to be registered. Civil vessels belonging to the Crown Dependency of Jersey and to certain United Kingdom Overseas Territories also wear this ensign as their proper colours.

3. **Red Ensign – Defaced – United Kingdom.** Each of the organisations listed at Annex 91B is privileged to use a distinct Red Ensign defaced with its unique badge or seal. All of these organisations are within the wider public sector. In addition, there are a number of defaced Red Ensigns authorised for qualifying members of privileged yacht clubs.

#### **9155. Hoisting National Colours by Merchant Ships and Private Vessels**

1. Under the provisions of MSA 95, vessels registered on the British registry of shipping, except fishing boats which are exempt, shall hoist the Red Ensign or other proper national colours as follows:-

- a. On a signal being made to the ship by one of HM ships, or by any other ship under the command of a commissioned naval officer.
- b. On entering or leaving any foreign port.



c. In the case of ships of 50 or more tons gross tonnage and over 24 metres in length, on entering or leaving a British port.

2. Should a vessel which is registered on the British registry of shipping, or on the registry of shipping of a United Kingdom Overseas Territory, or an unregistered vessel which belongs to one of HM subjects, refuse to show her national colours to one of HM ships, the names of the vessel, of the master and of the qualified owners are to be ascertained. One or more affidavits of the facts are to be taken on the first occasion that offers, before a consular official or other competent authority, and subsequently transmitted to the Fleet Commander with a report of the occurrence.

#### **9156. Proper Colours for Merchant Ships**

1. The provisions of the Royal Proclamation of **1964** in respect of the wearing of proper colours by British merchant ships and other private vessels are enshrined in MSA 95 and are explained hereunder.

a. **Civil Ensign.** The Red Ensign without any defacement or modification whatsoever is the proper national Ensign for all British ships and craft except:-

(1) HM ships and vessels, and other government department vessels entitled to wear different colours.

(2) Other vessels authorised to wear different colours in pursuance of a warrant from the Secretary of State for Defence, or in pursuance of a warrant originally authorised under Admiralty jurisdiction.

(3) Ships and craft registered in, or belonging to residents of, a Crown Dependency or United Kingdom Overseas Territory for which a defaced Red Ensign has been authorised by The Sovereign by Order in Council and endorsed under local shipping registry provisions.

b. **Civil Jack.** The wearing of civil Jacks is not obligatory and is not, therefore, subject to MSA 95. However, the Union Flag surrounded by a white border, commonly known as the merchant Jack or pilot Jack, and without any defacement or modification whatsoever, may be considered to be the proper national Jack for all British ships and craft. Nevertheless non-government vessels may fly instead an appropriate company or personal flag as a Jack, so long as it does not contravene the provisions of MSA 95 in relation to flags reserved for HM ships. In addition to HM ships, certain government department vessels in the United Kingdom and United Kingdom Overseas Territories are entitled to wear different national Jacks as part of their suit of colours.

#### **9157. Wearing of Improper Colours**

1. These provisions apply equally to acts committed outside United Kingdom waters as well as to acts committed within United Kingdom waters. The penalties on conviction are a fine or a term of imprisonment or both.

2. **Liability.** If any distinctive colours except the undefaced Red Ensign and merchant Jack, Union Flag, and any other colours authorised or confirmed by an Order in Council, or any colours usually worn by HM ships or resembling those of The Sovereign, including the masthead pennant usually worn by HM ships, or any pennant resembling that pennant, are hoisted on board any British ship or boat without a warrant from The Sovereign or the Secretary of State for Defence (or extant warrant from the Admiralty), then the master or skipper of the ship or boat, or the owner, together with every other person hoisting the colours shall be liable to prosecution under MSA 95.

3. **Misrepresentation.** If the master, skipper or owner of a ship which is not a British ship (as defined in MSA 95) does anything, or permits anything to be done, for the purpose of causing the ship to appear to be a British ship, or in the case of a British ship if an attempt is made to conceal the British nationality of the ship then, except as provided for in sub-Clauses a and b below, the ship shall be liable to forfeiture and the master, skipper, owner and any charterer thereof shall each be guilty of an offence unless:

a. The assumption or concealment of British nationality has been made for the purpose of escaping capture by an enemy or by a foreign ship of war in the exercise of some belligerent right;

b. The act of misrepresentation is within fourteen days of the date of assumption or termination of British registration by virtue of any provision of shipping registration regulations.

4. **General Response to the Use of Improper Colours.** If any colours are hoisted on board a ship in contravention of MSA 95 as outlined above, the ship may be boarded and her colours seized and taken away and forfeited to The Sovereign. Those persons entitled under the Act to board a vessel for this purpose are:

Any commissioned naval or military officer  
Any officer of HM Customs and Excise  
Any British consular officer

5. **Response to the Use of Improper Colours by British and Commonwealth Vessels.**

Notwithstanding the provisions in **9157.2** above, in the case of a ship belonging to any of British or Commonwealth subject hoisting improper colours, including merchant vessels of the Commonwealth monarchies, the Commanding Officer is first to send a communication in writing to the master or skipper of such vessel, calling his or her attention to the requirements of MSA 95 in this regard, and is to allow a reasonable time to elapse from the delivery of such communication before proceeding to exercise the powers conferred upon him/her under the Act. If the incident takes place within the waters of another country Commanding Officers should, if they think it necessary, apply to superior authority for advice, In a foreign port, contact should be made with British Consular officials whilst at all times Commanding Officers must endeavor to avoid giving offence to local authorities.

**9158–9170. Unallocated**

## SECTION III - FLAGS IN BOATS, AIRCRAFT AND CARS

### 9171. Boats' Ensigns

1. **When Underway.** The White Ensign is to be worn by RN and RM boats and tenders (power and sail), unless operational circumstances dictate otherwise.
2. **When Alongside.** When attended by their crews (except in HM Naval Bases and alongside HM Ships and establishments) Ensigns are to be worn between morning colours and sunset. They are to be worn in all places between morning colours and sunset when ships are dressed overall and/or when the boat is flying in the bows one of the distinguishing flags referred to in 9112.
3. **Half-Masting.** The ensign is to be worn at half-mast when a body is being conveyed in a boat in any waters and, where practicable, when ships' ensigns are at half-mast (**9139.**)
4. **Boats Under Sail.** MOD owned yachts wearing the White Ensign are not to fly any burgee. Yachts flying the Blue Ensign may fly the burgee of the Royal Naval Sailing Association but no other.
5. **Recreational Craft – Not Publicly Owned.** The proper colours for recreational craft being bought with non-public funds is the undefaced Red Ensign. However, if such craft are being used for official training purposes, the government service Blue Ensign is to be worn. In either case, particular care is to be taken to ensure that the customs and practice of the Services are followed.
6. **Hired Tenders to HM Ships.** Should any of HM Ships or RM units take on bareboat charter or temporary hire a locally owned boat for the purpose of training, transport or logistic support, the provisions in clauses 1, 2, 3 and 4 are to apply providing all the following are met in full:
  - a. The boat is under the command of a RN or RM person.
  - b. The boat is manned by UK service personnel
  - c. The boat is under the operational control of a RN or RM unit.
  - d. Agreement has been reached with the owners (or charterers) and the local authorities.
  - e. The boat is not registered on a foreign register of shipping.

### J.9172. Flags in Vessels and Boats

1. *(Navy only).* **Admiralty Board Flag.** When two or more members of the Admiralty Board, acting as a board, are embarked in a boat, the Admiralty Board flag is to be flown in the bows. See Table 92-1 for ceremonial.
2. **Chief of the Defence Staff.** The Chief of the Defence Staff is authorised, when embarked in a boat is to fly a distinguishing flag. This is of equal dark blue, red and light blue horizontal bands with the tri-Service emblem embroidered on both sides.

3. **Senior Officers.** Senior Officers who are also governors of territories and the lieutenant governors of Guernsey and Jersey, when embarked in boats, are to use the distinguishing flag appointed for governors, or for such lieutenant governors, *viz*, the Union Flag with the approved arms or badge of the territory emblazoned in the center thereof on a white ground surrounded by a green garland instead of the general officer's flag.

4. **Officers in Command**

a. (Navy only). A Flag Officer or Commodore entitled to fly their flag or broad pennant in a ship or Naval establishment, and an officer holding an appointment in command of a ship in commission, including a fleet establishment commissioned as a ship, when proceeding on duty in a boat on occasion of ceremony or other official occasions, may fly in the bows the flag, broad pennant or masthead pennant applicable to their rank. See Table 92–1 for ceremonial.

b. When joint operations are being carried out, should the officer commanding the RM, Army or RAF or components be embarked in a warship or transport, the appropriate distinguishing flag of the senior non Naval Officer of the equivalent rank of commodore or above may be hoisted at the fore to denote the presence of the headquarters. Such a flag is not to displace any flag officer's flag, broad pennant or masthead pennant, and is to be flown in an inferior position to it.

5. (Navy only). **The Union Flag.** The Union Flag is never to be displayed from any of the boats of the Royal Navy except to denote the presence of an Admiral of the Fleet, former First Sea Lords or Admirals who have served as Chiefs of Defence Staff.

6. (Navy only). The flag, broad pennant or masthead pennant is to be flown only between colours and sunset except as in **9177**. (See also **9112.2b** on Other distinguishing flags flown in boats, **9177**, Officer of the Guard, and **9178**, Member of court-martial).

**9173. Spare**

**9174. Flag Discs to be Displayed**

1. The following discs, which are to measure approximately 25 centimeters in diameter, are established for use in boats by senior officers when the full ceremonial prescribed in Chapter 94 is not required:

a. A red disc with a white St George's Cross painted thereon is to be displayed on formal occasions when members of the Admiralty Board or Officers who are entitled to fly a flag or broad pennant are proceeding on duty but when the full ceremonial prescribed is not required (See Table 92–2).

b. A blue disc with a white St George's Cross painted thereon is to be displayed on formal occasion when Officers of Flag rank and Commodores who are not entitled to fly a flag or a broad pennant, are proceeding on duty.

c. A white disc with five black crosses painted thereon may be used on informal occasions by the Officers referred to, when courtesy salutes only will be accorded.

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d. A personal standard plate may be used in lieu of a white disc, by certain members of the Royal Family when embarked in a boat. Ceremonial appropriate to the white disc is to be accorded.

2. The red and blue discs are only to be displayed between colours and sunset.

### **9175. Chief of Staff**

1. A Chief of Staff is to have painted on his/her boat the flag of the Flag Officer on whose staff he/she is serving. (See **9106.4.**)

### **9176. Queen's Harbour Master**

1. A Queen's Harbour Master, or any officer acting directly under his/her authority, when afloat and in the execution of the duties pertaining to his/her office is to fly the flag of the Queen's Harbour Master in the bows of his/her boat (see also **9117**).

### **9177. Officer of the Guard**

1. The Officer of the Guard, proceeding on duty in a boat, is to fly a masthead pennant both by day and by night.

### **9178. Members of Courts-Martial**

1. An Officer who is president or a member of a court-martial and is not otherwise entitled to fly a flag, broad pennant or masthead pennant, is to fly a masthead pennant in the bows of their boat between the hours of colours and sunset when proceeding to or from the court.

### **9179. General Officers and Brigadiers, Royal Marines**

1. When afloat on occasions of ceremony or other official occasions, General Officers and Brigadiers of the Royal Marines may fly the flags appropriate to their ranks.

### **9180. Flags, Standards and Discs on Naval Aircraft**

1. When practicable, distinguishing standards, flags or discs are to be displayed on Naval fixed wing communication aircraft when embarking/disembarking important personages and plates painted to the same design as standards, flags and discs are to be displayed on rotary wing communication aircraft as follows:

a. When Royal or distinguished persons (as described in **9112.2**) entitled to fly personal standards or distinguishing flags travel in Naval aircraft, the appropriate standard or flag is to be flown.

b. When two or more members of the Admiralty Board acting as a board are embarked the Admiralty Board flag is to be flown.

c. When the Chief of Naval Staff and First Sea Lord is embarked, an Admirals Flag is to be flown.

- d. The personal flag of Commanders of Joint Commands and of Joint Commanders may be flown on Naval aircraft within their commands.
  - e. The flag or broad pennant applicable to their rank is to be flown when an Officer entitled to fly their flag or broad pennant in a ship or establishment is embarked. The masthead pennant is not to be flown and red and white discs (**9174**) are not to be displayed by naval aircraft.
  - f. On formal occasions, the presence on board an aircraft of an Officer of Flag rank or Commodore who is not entitled to fly a flag or broad pennant is to be indicated by the display of a blue disc as in **9174.1b**.
  - g. When a General Officer or Brigadier of the Royal Marines is embarked, the flag applicable to his rank is to be flown.
- 2. Standards, flags and discs are to be flown or displayed on fixed wing communication aircraft only when the aircraft is stationary.
  - 3. Rotary wing communication aircraft may display a secure painted plate both on the ground and in flight.
  - 4. Standards, flags, discs and plates are not to be flown or displayed by operational aircraft nor by other aircraft should it be considered inexpedient or hazardous to do so.

#### **J.9181. Flags on Motor Cars**

- 1. When Royal or distinguished persons entitled to fly personal standards or distinguishing flags travel in Service vehicles, the appropriate standard is to be flown.
- 2. Lists of the Service Officers entitled to fly car flags and descriptions of the appropriate flags are contained in Annex 91 A.
- 3. All distinguishing flags of Service Officers are to be flown from a forward position on the front bonnet of the car but only when the Officer who occupies the car is entitled to the flag.

#### **4. Occasions on Which Car Flags are to be Flown.**

- a. Flags are to be flown:
  - (1) On official occasions only; only the senior Officer attending the function may authorise a departure from the normal practice.
  - (2) In areas where there is a need for the car or its occupant to be recognised, eg. because of the proximity of Service establishments, etc. On cross-country journeys flags are not normally to be flown but are to be hoisted at a short distance from the destination.
- b. A car flag may be flown by an Officer wearing civilian clothes on duty, if the Officer considers it desirable.

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- c. Officers are not to fly the flag of their superior Officers when acting as their representative but are to fly the flag if any to which they are entitled.
- d. In foreign and Commonwealth countries, Officers may fly their car flags on those occasions when the British Ambassador or High Commissioner considers that it would be appropriate for them to do so. In certain countries the flying of car flags may be completely precluded by laws, customs or local conditions.
- e. A Defence Attaché or Adviser who is also accredited as a Single Service Attaché or Adviser may fly the car flag of their own Service when attending functions relating to that Service as opposed to those of a Defence character.
- f. Subject to these general rulings, commanders may limit the flying of flags when they consider the political or local circumstances in the area make it desirable to do so.

### J.9182. Star Plates on Motor Cars

1. Star plates may be displayed on cars carrying senior Officers and Officers of equivalent rank in the other Services. The number of stars denoting rank are as follows:

Admiral of the Fleet/Field Marshal/Marshal of the Royal Air Force.	Five Stars
Admiral/General/Air Chief Marshal.	Four Stars
Vice-Admiral/Lieutenant-General/Air Marshal.	Three Stars
Rear-Admiral/Major-General/Air Vice-Marshal.	Two Stars
Commodore/Commodore RNR/Brigadier/Air Commodore/Matron in Chief QARNNS/Matron in Chief PMRAFNS.	One Star

2. The plates are to be displayed only on journeys made on duty. The star plates are to be covered when the entitled Officer does not occupy the vehicle.
3. The star plates are royal blue for RN officers, red for Army and RM officers and air force blue for RAF officers. Officers in joint Service appointments are to display plates in the joint Service colours of vertical bands of dark blue, red and light blue.

### 9183–9199. Unallocated



## ANNEX 91A

## FLAGS ON MOTOR CARS

## Part 1. Joint Service

1. Chief of Defence Staff.	Flag, distinguishing, dark blue, red and light blue horizontal bands, with a flag, Union, in the first quarter and, in the fly the unified device surrounded by the Garter and surmounted by a crown.
2. Vice Chief of Defence Staff, Unified Commanders-in-Chief, Commandant, Royal College of Defence Studies and UK Military Representative, NATO Military Committee.	Flag, distinguishing, dark blue, red and light blue horizontal bands, with a flag, Union, in the first quarter and, in the fly, the unified device surrounded by an oak wreath and surmounted by a crown.
3. Chief of Defence Personnel and Chief of Defence Intelligence.	Flag, distinguishing, dark blue, red and light blue horizontal bands, with a flag, Union, in the first quarter, and, in the fly, the unified device surmounted by a crown.
4. Unified and Operational Commanders of two star rank; Head of British Staff Washington; Commandant, Joint Services Defence College and Commandant Joint Services Command and Staff College.	Flag, distinguishing, dark blue, red and light blue horizontal bands, with a flag, Union, in the first quarter and the unified device in the fly.
5. Unified and Operational Commanders of one star rank and:	Pennant, distinguishing, dark blue, red and light blue horizontal bands, with a flag, Union, next to the staff and the unified device offset to the right centre of the fly.
a. UK National Military Representative SHAPE.	
b. Chief of Staff to UK Military Representative NATO Military Committee.	
c. Deputy Fortress Commander and Officer Commanding Troops, Gibraltar.	
6. Deputy SACEUR, Deputy SACLANT and NATO Commanders-in-Chief.	Flag of rank or NATO Flag.
7. Heads of British defence missions and delegations in the countries to which they are accredited.	As for the unified and operational commanders according to rank as is paras 4 and 5.
8. Defence Attachés and advisers.	As for unified and operational commanders according to rank as paras 4 and 5. Attachés below one star rank fly the pennant as in para 5.
9. Commander, British -Forces, Cyprus, when acting in his capacity as Administrator of the Sovereign Base Area.	Union Flag.



**Notes:**

1. Officers of Flag rank and Commodores entitled to fly a joint Service flag are to fly that flag and not the flag of their rank when acting in a joint Service capacity.
2. At Gibraltar and Bermuda, where the offices of the governor and commander-in-chief are combined, the appropriate flag for use on the motor car is the Union Flag, with the approved arms or badge emblazoned in the centre, which is issued under arrangements made by the Foreign and Commonwealth Office.

**Part 2. Royal Navy**

1. Chief of Naval Staff/First Sea Lord.	Admirals Flag.
2. Other Naval members of the Admiralty Board.	Flag appropriate to rank.
3. A visiting Flag Officer or Commodore in Command in a foreign country.	White Ensign.
4. Naval Attachés and Advisers (if they are not also Defence Attachés or Advisers).	White Ensign.
5. Heads of British Naval Missions and Delegations in the countries to which they are accredited.	White Ensign.
6. Admirals of the Fleet, former First Sea Lords and Admirals who are former Chiefs of Defence staff.	Union Flag.
7. Flag Officers other than those in serials 1, 2 and 6 above.	Flag appropriate to rank.
8. Commodores RN/RNR in Command.	Appropriate broad pennant.
9. Commanding Officers other than Commodores and Officers of Flag rank, in Command of Naval and Royal Marine training establishments.	White Ensign.

**Notes:**

1. Definition of 'Flag appropriate to rank'
  - a. Admiral White flag with a red St George's cross.
  - b. Vice-Admiral As a. with one red ball in upper canton nearest the mast.
  - c. Rear-Admiral nearest the As a. with a red ball in each of the cantons nearest the mast.
  - d. Commodore White burgee with red St George's cross, one red ball in the upper canton nearest the mast.
  - e. Commodore RNR As d.

**Notes Continued.**

2. *In foreign countries it may well occur that several officers entitled to fly a White Ensign on their cars may be in the same place, i.e., during visits of HM ships, etc. On such occasions only the senior officer is to fly the White Ensign. When visiting officers are of the rank of Captain and below, the Naval Attache or Head of the British Naval Mission, whether senior or not, is to fly the White Ensign on his car. In the absence of the Naval Attache or Head of the British Naval Mission, the senior naval officer visiting a foreign country may, if a Captain, RN, fly the White Ensign on his car when paying official calls. The intention is that no two cars should fly the White Ensign in the same place at the same time.*

**Part 3. Royal Marines**

1. Commandant-General.	A royal blue rectangular flag with a central device in yellow of an upright foul anchor surmounted by a St Edward's crown with a lion passant gardant surmounting the crown.
2. Generals and Lieutenant-Generals in Command	A royal blue rectangular flag as above, with a central device in white of an upright foul anchor; clear above the anchor is a St Edward's crown.
3. Major-Generals in Command.	As 2, but the flag is a rectangular swallowtail flag.
4. Brigadiers in Command.	A royal blue triangular flag as above with a central device in white of an upright foul anchor.

**Notes:**

1. *Colonels Commandant fly the flag appropriate to their Royal Marines rank.*
2. *CGRM flies the flag described at Clause 1 above regardless of his substantive rank.*

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### Part 4. Army

1. Chief of the General Staff.	Flag, Union, with Royal Crest embroidered on both sides.
2. Other Military Members of the Army Board.	Flag, distinguishing (half red, half blue, divided horizontally), with Royal Crest embroidered on both sides.
3. Commander Land Forces and any Army Group Commander.	Flag, Union.
4. Lieutenant General Commanding a formation in the United Kingdom.	Flag, distinguishing, Head quarters of an Army (red, black, red).
5. Corps Commander.	Flag, distinguishing, Head Quarters of a Corps (red, white, red).
6. Major General - General Officer Commanding	Flag, distinguishing, Division (red swallow-tail).
7. General Officer Commanding Scotland and London District, Support Command.	Flag, distinguishing, District and Regions (green swallow-tail).
8. Deputy Commanders of Divisions.	Flag, distinguishing, Division or District (green pennant).
9. Brigade Commanders (to include artillery brigade; air defence brigade; engineer brigade; signal brigade, ISR, MP and logistics brigade).	Flag, distinguishing, brigade (blue pennant).
10. Senior staff Officers, not below the rank of Major General at the headquarters of 3* and 4* Commanders..	Flag distinguishing, (half red, half blue, divided horizontally) at discretion of commander in chief.
11. The Master Gunner, St. James's Park (on official Royal Artillery occasions).	Royal Artillery Standard.
12. Military Attachés and Advisers (if they are not also Defence Attachés or Advisers), Heads of British Military Missions and Delegations in the countries to which they are accredited.	Flag, Union defaced on both sides with the Army Crest (a crown with a lion on top and crossed swords)
13. Master Generals, Honorary Colonels, Colonels Commandant and their Deputies, Corps and Regimental Colonels.	Corps or regimental pennant



**Note.** Flags, enumerated in paras 4 to 11, with the exception of para 8, are to bear in the centre of the flag the approved formation, divisional, district or area sign. In the case of Commanders of the Royal Artillery and Royal Engineers specified in para 9, the formation sign will be on the upper corner of the flag next to the hoist, and a gun (muzzle toward the hoist) or grenade, respectively, is to be placed in the centre of the flag.

## Part 5. Royal Air Force

1. Chief of the Air Staff.		RAF Ensign.
2. Other RAF members of the Air Force Board.		Royal Crown surmounted by lion passant guardant on field of light blue (top) and dark blue (lower).
3. Air Ranks nominated as the Air contingent Commanders abroad.		RAF Ensign.
4. Air marshals when not acting in the capacity of Air force Board members, and when making official visits and inspections.		Astral Crown on a light blue field.
5.		
a. AOCs Groups and Air Headquarters.	)	
	)	
b. Air Officer Scotland, Wales and Northern Ireland. (only when making official visits to Service units or attending municipal functions in their AOR).	)	
	)	
	)	
c. AOC and Commandant RAF College,	)	
	)	
d. Commandant-General RAF Regiment (only when visiting RAF and Army units in his official capacity).	)	Astral Crown within the RAF Roundel, on a light blue field.
	)	
e. Air Officers of Command Headquarters (only when making official inspections).	)	
	)	
	)	
f. Commandant Central Flying School (only when making official visits to Service Units).	)	
	)	
	)	
g. Commandant Air cadets (only when making official visits and inspections to service Units).	)	
6. Station Commanders (within the bounds of their station or when attending municipal functions as the RAF representative).	)	
	)	RAF Roundel on a light blue field.
	)	
7.		
a. Air Attaches and Advisers (if they are not also Defence Attachés or Advisers) in the country to which they are accredited.	)	
	)	
	)	
	)	RAF Ensign, in bunting.
	)	
b. Heads of RAF Missions and Delegations in the countries to which they are accredited.	)	
	)	



**Note.** The flags described should be 30cm x 15cm in size

## ANNEX 91B

## THE BLUE AND RED ENSIGNS OF HER MAJESTY'S FLEET

## PART 1. BLUE ENSIGN

1. **United Kingdom – Defaced Blue Ensigns Authorised for Use Afloat, and also Ashore.**

There are more than one hundred differently defaced Blue Ensigns currently in use throughout the Commonwealth, but the greatest number will be found in the United Kingdom. Many of them are authorised for privileged yacht clubs, but several are used within the wider public service and some by privatised utilities. In several cases the name of the department or organisation has changed since the issue of the original warrant. The majority may be encountered at sea but some are mainly used on inland waters or ashore. The most significant are listed below and the year of authorisation is given in brackets where known.

a. **Ministry of Defence**

Combined Cadet Force Naval Sections (about 1940)  
 Army Department vessels (badge without crown – about 1900)  
 Government Service Ensign (1974) (note 1)  
 HMAVs (badge with crown – 1996)  
 Ministry of Defence Police (1971)  
 Royal Engineers Diving Training Wing (1871) (note 2)  
 Royal Fleet Auxiliary (1968)  
 Sea Cadet Corps (1942)

**Notes.**

1. *This ensign is used by miscellaneous naval owned auxiliaries, certain chartered vessels, joint service sail training establishments and their craft, and vessels in the service of naval training establishments.*
2. *Now only flown ashore on corps ceremonial occasions.*

b. **Government Departments, Non-Departmental Public Bodies and other Organisations**

Aberdeen Harbour Board (1974)  
 British Antarctic Survey (1963)  
 Cable and Wireless Marine (1877)  
 Department of Trade and Industry (before 1875)  
 HM Coastguard (1822)  
 HM Customs and Excise (1948)  
 Irish Lights (1867) (note 1)  
 Lloyds of London (1882)  
 Marine Society (1876)

## BRd 2

Mersey Docks and Harbour Company (1912)  
Metropolitan Police (1952)  
Ministry of Agriculture, Fisheries and Food (note 2)  
Northern Lighthouse Board (1855)  
Ocean Weather Service (1947)  
Port of London Authority (1911)  
Royal Gibraltar Police  
Royal Hospital School (about 1950)  
Royal Ulster Constabulary (1948)  
Scottish Office Agriculture, Environment and Fisheries Department (1885)



### **Notes:**

- 1. The Republic of Ireland's Irish Lights Organisation maintains lighthouses in Northern Ireland also, where this is the proper ensign for display at facilities.*
- 2. Date unknown, records lost.*

- c. **United Kingdom Yacht Clubs and Sailing Associations.** The many privileged yacht clubs
2. **Crown Dependencies.** Defaced Blue Ensigns are authorised for vessels in the service of the States of Jersey, Guernsey and Alderney under Admiralty warrants dated 1992 and 2000.
3. **United Kingdom Overseas Territories.** Each United Kingdom Overseas territory with indigenous inhabitants is authorised to use a Blue Ensign defaced with the badge or seal of the territory as its land flag, and as the ensign for local government vessels. However, by long standing custom and practice, Bermuda uniquely uses its defaced Red Ensign as the land flag. Dates of authorisation of the latest designs are given in brackets.

Anguilla (1990)  
Bermuda (1910)  
British Virgin Islands (1960)  
Cayman Islands (1959)  
Falkland Islands (1948)  
Gibraltar (1875)  
Montserrat (1960)  
Pitcairn Island and Dependencies (1984)  
St Helena and Dependencies (1994) (see note)  
Turks and Caicos Islands (1958)



**Note.** *Tristan da Cunha is presently seeking approval for its own unique land flag*

4. **Commonwealth and Foreign Countries.** A significant number of defaced Blue Ensigns are in use throughout the Commonwealth and in certain foreign countries also. The majority of those belong to yacht clubs and are authorised by Admiralty warrant. However in Australia several also belong to public service departments and are recognised by the Australian Flags Act.

## PART 2. RED ENSIGN

1. **United Kingdom – Defaced Red Ensigns Authorised for Use Afloat.** Of more than thirty different Red Ensigns currently in use the greatest number will be found in the United Kingdom. Some are authorised for privileged yacht clubs, but some are used within the public service. The most significant are listed below and the year of authorisation is given in brackets where known.

a. **Crown Dependencies**

Isle of Man (1971)

Guernsey (1985) (see note)



**Note.** *The bailiwick of Jersey has no special Red Ensign*

b. **Non-Departmental Public Bodies and Associated Organisations**

Corporation of Trinity House (1771)

Eastern Sea Fisheries (1900)

Maritime Volunteer Force (1998)

North Wales and North West Sea Fisheries (1901)

Royal National Lifeboat Institution (1964)

Scout Association (between 1954 and 1971) (see note)

South Wales Sea Fisheries (1979)



**Note.** *Records lost*

c. **United Kingdom Overseas Territories**

Bermuda (1910) (see note)

Cayman Islands (1998)

Falkland Islands (1999)

Gibraltar (1996)



**Note.** *Uniquely for a United Kingdom Overseas Territory this is the recognised land flag also*

2. **The Commonwealth.** A small number of defaced Red Ensigns are authorised for use both afloat and ashore within the Commonwealth.

FLAG HALF-MASTING LOCATIONS <sup>1</sup> FOR SERVING AND RETIRED CDS, VCDS, SINGLE SERVICE CHIEFS AND JFC.					
Ser	Appt	Day of Death	Day of Funeral	Comments	Current Anomalies
	(a)	(b)	(c)	(d)	(e)
1	CDS	Serving: All Service locations. Retired: All Service locations.	Serving: All Service locations. Retired: All Service locations.	<ul style="list-style-type: none"> <li>All Service locations for 1(b) &amp; 1(c) needs to be recorded in the QRs for death of Retired CDS.</li> <li>All Service locations for 1(b) &amp; 1(c) is the same entitlement as the serving CDS as recorded in QRs.</li> </ul>	
2	VCDS	Serving: All Service locations. Retired: <b>Single Service Locations</b>	Serving: All Service locations. Retired: <b>Single Service Locations</b>	<ul style="list-style-type: none"> <li>The VCDS appointment was added to the Army Entitlements letter in 2001.</li> <li>Principals Single Service locations for 2(b) &amp; 2(c) needs to be recorded in the QRs for death of Retired VCDS.</li> </ul>	<ul style="list-style-type: none"> <li>Serving VCDS is not entitled to any half-masting in QRs at the moment.</li> <li>All Service locations for 2(b) &amp; 2(c) needs to be recorded in the QRs for death in Service of VCDS.</li> </ul>
3	CNS	Serving: All Service locations. Retired: RN/RM locations.	Serving: All Service locations. Retired: RN/RM locations.	<ul style="list-style-type: none"> <li>RN/RM locations for 3(b) &amp; 3(c) needs to be recorded in the QRs for death of Retired CNS.</li> <li>All Service locations would half-mast for 3(b) &amp; 3(c) for the serving CNS as recorded in QRs.</li> </ul>	
4	CGS	Serving: All Service locations. Retired: Army locations.	Serving: All Service locations. Retired: Army locations.	<ul style="list-style-type: none"> <li>PS12(A) draft signal queries whether all Service locations should half-mast on the day of funeral.</li> <li>Army locations for 4(b) &amp; 4(c) needs to be recorded in the QRs for death of Retired CGS.</li> <li>All Service locations would half-mast for 4(b) &amp; 4(c) for the serving CGS as recorded in QRs.</li> </ul>	
5	CAS	Serving: All Service locations. Retired: RAF locations.	Serving: All Service locations. Retired: RAF locations.	<ul style="list-style-type: none"> <li>RAF locations for 4(b) &amp; 4(c) needs to be recorded in the QRs for death of Retired CAS.</li> <li>All Service locations would half-mast for 5(b) &amp; 5(c) for the serving CAS as recorded in QRs.</li> </ul>	
6	JFC	Serving: All Service locations. Retired: <b>Nil</b>	Serving: All Service locations. Retired: <b>Nil</b>	<ul style="list-style-type: none"> <li>The JFC appointment is not currently in the Army Entitlements letter.</li> <li>Principals Single Service locations for 6(b) &amp; 6(c) needs to be recorded in the QRs for death of Retired JFC.</li> </ul>	<ul style="list-style-type: none"> <li>Serving JFC is not entitled to any half-masting in QRs at the moment.</li> <li>All Service locations for 6(b) &amp; 6(c) needs to be recorded in the QRs for death in Service of JFC.</li> </ul>

<sup>1</sup> The policy for Main Building (MB) is as follows: Flags on MB are to be lowered for all the above appointments should they die in-service. Flags on MB should only be lowered for a retired CDS and VCDS.



## CHAPTER 92

### MILITARY HONOURS AND MARKS OF RESPECT

(MOD Sponsor: NAVY PEOPLE-TRG-HQ N9 EXEC FXO)

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#### ANNEXES

Annex 92A: Marks of Respect and Salutes

## CHAPTER 92

## MILITARY HONOURS AND MARKS OF RESPECT

**Notes:**

1. *This chapter should be read in conjunction with BRd 1834, Royal Navy Ceremonial and Drill.*
2. *All references to Officers and Ratings apply equally to both male and female unless specifically stated otherwise.*
3. *Where no bugler is borne, or available, the boatswain's call shall be deemed the appropriate alternative and the relevant paragraphs interpreted as such.*
4. *For the purposes of defining the appropriate level of ceremonial, visits and occasions are categorised as Formal, Informal, Routine or In-Transit. A Formal visit is defined as a visit by a Royal or VIP Personage, Flag Officer, Commodore or Captain, entitled to fly a Standard, Flag, Pennant or similar, with the intention of carrying out a formal inspection of the ship, establishment, divisions or other similar formal ceremonial occasion.*

**Definitions:**

Foreign Sovereign	See <b>9407.2</b>
Flag Officer	) See Explanation of Terms on page xix
Officer of Flag Rank	
Commonwealth	

**9201. Table of Marks of Respect**

1. The marks of respect to be paid to Royal personages, officers and officials on their arrival at and departure from Her Majesty's Ships and Naval Establishments are summarised in Annex 92A; this includes the occasions on which the Alert and the Piping of the Side are to be used and when Guards and Bands are to be paraded. Annex 92A also contains the authorised scale of gun salutes. For salutes from shore batteries see **9402**. For salute by bugle when no band is available see **9205.2**. The relevant articles should be consulted for detailed instructions.
2. **Timing.** These marks of respect are normally paid only between Colours and sunset, but the senior officer present may waive this rule in special circumstances.
3. Where 'No' appears in Annex 92A, column 3 (Alert), attention is called to **9212.2** and **9212.3**.
4. Where 'No' appears in Annex 92A, column 4 (Pipe), the visitor should be piped if he is in naval uniform and entitled to be piped under **9203** and **9220**.

5. **Guards.** For the composition of Royal Navy guards of honour see BRd 1834, *Royal Navy Ceremonial and Drill*. For the composition of Royal Marines guards of honour see BRd 2118, *Royal Marines Drill* (for personages entitled to a Royal Guard see **9206** to **9209**). See also **J.9230** and Table 92–1.
6. **Governors and Lieutenant-Governors.** Particular attention is called to **9306**, which gives lists of officials who are entitled to be received with the honours prescribed for Governors and Lieutenant-Governors.
7. **Minor Dignitaries.** Salutes for minor dignitaries do not appear in Annex 92A and are contained in local orders.
8. **National Anthems, Salutes and Official Marches.** National anthems, salutes and official marches are contained in **BR 12**, *National Anthems, Salutes and Official Marches*.

## **9202. The ‘Alert’**

1. In addition to the other occasions specifically prescribed in these Regulations (see **9201**, **9206** to **9215**, **9217** to **9226** and **9306**) the ‘Alert’ is to be sounded on the bugle, between the hours of Colours and sunset, whenever an officer of Flag rank or Commodore in uniform, comes on board or leaves any of Her Majesty’s Ships, or pays a formal visit to a Naval establishment. The ‘Alert’ in a Naval establishment is not required where that senior officer is on an informal or routine visit or in-transit to board or disembark from a boat or aircraft. (see 9215).
2. The ‘Alert’ is to be sounded at the hoisting and hauling down of Colours, see - **9136**.

**Table 92-1. Composition of Guards of Honour and Nomenclature**

<b>GUARD PARADED (MOUNTED) FOR</b>	<b>TITLE OF GUARD</b>	<b>GUARD STRENGTH</b>	<b>MUSICAL SALUTE</b>
HM The Queen & Other Members of the Royal Family	Royal Guard of Honour	1 LT/CDR  1 LT 4 POs 96 JRs (Colour Party) 1 LT/SLT 1 WO1 (Not WO2) 2 LHs Bugler	National Anthem
Foreign Heads of State & Foreign Sovereigns	Royal Guard of Honour	1 LT/CDR 1 LT 4 POs 96 JRs (Colour Party) 1 LT/SLT 1 WO1 (Not WO2) 2 LHs Bugler	Appropriate National Anthem
Admiral of the Fleet, former First Sea Lords and Admirals who have served as Chief of Defence Staff	Admiral of the Fleet's Guard	1 LT 1 S/LT 2 POs 48 JRs Bugler	Rule Britannia
Admiral	Admiral's Guard	1 LT 2 POs 24 JRs Bugler	Rule Britannia

Vice Admiral	Vice Admiral's Guard	1 LT 2 POs 24 JRs Bugler	Iolanthe
Rear Admiral	Rear Admiral's Guard	1 LT/SLT 1 PO 18 JRs Bugler	Iolanthe
Commodore	Commodore's Guard	1 S/LT 1 PO 12 JRs Bugler	Iolanthe
Captain RN (In command)	Captain's Guard	1 PO 12 JRs	Nil
As Required	Ship's Guard (Sea Going)	1 LT/SLT 1 PO 12 JRs (Standard size Ship's Guard)	According to Rank
Entering/Leaving Harbour Procedure 'A' Colour Guard firing or receiving a gun salute	Ship's Guard (Sea Going)	1 LT/SLT 1 PO 12 JRs (Standard size Ship's Guard)	Nil

### 9203. Piping the Side

1. Between the hours of Colours and Sunset, the side is to be piped for the following, coming on board or leaving one of Her Majesty's Ships:

- a. Her Majesty The Queen.
- b. His Royal Highness The Prince Philip, Duke of Edinburgh, when in naval uniform.
- c. Other members of the Royal Family of the rank of Captain, RN or Reserve, and above, when in naval uniform.
- d. The Admiralty Board and Commonwealth Naval Boards, when acting as Boards.
- e. Officers of Flag rank and Commodores in uniform.

- f. An officer in uniform if holding an appointment in command of a Royal Navy, Royal Fleet Auxillary or Commonwealth seagoing ship of war or tender in commission. Such officers coming on board by a brow should only be piped if arriving at a pre-arranged time. Surprise or unarranged visits do not mandate such a pipe.
  - g. The President or a member of a court-martial proceeding to or returning from the court.
  - h. The Officer of the Guard when flying a pennant.
  - i. A body when being brought on board or sent out of a ship.
  - j. Professional heads of Commonwealth navies.
2. The side is to be piped at all hours for officers of foreign navies in uniform, i.e. officers of navies other than those of Commonwealth countries. Local orders for NATO Standing Naval Forces may modify these instructions.
3. The side should normally be piped for an officer entitled to it even if accompanying a senior officer who is not so entitled.
4. The side is not to be piped at any shore establishment.
5. The side is not to be piped for an Officer in a Military Command position when visiting ships of war. Similarly, the side is not to be piped for an Officer holding a level of functional authority but not in command of a seagoing ship of war or iaw any other clause above (for example a Squadron Commander or Flotilla Captain or Commander).
6. For officers on the Retired List, see **9220**.

#### **9204. The National Anthem**

- 1. At the reception of The Queen and The Duke of Edinburgh the whole of the National Anthem is to be played (see **9206**).
- 2. The first six bars only are to be played at the reception of other members of the Royal Family, and similarly, within their respective jurisdictions or while proceeding on the public service, at the reception of the Governors-General of Commonwealth countries. See **9206** and **9209**.
- 3. The National Anthem is not to be played at the reception on board Her Majesty's Ships of any other British official or authority.
- 4. The first six bars of the National Anthem are to be played by Royal Navy and Royal Marines bands, when present, at the reception on shore, at a Naval Establishment or elsewhere, within their respective jurisdictions or while proceeding on the public service, of Governors-General, Governors and Lieutenant-Governors (as defined in 9306) of Commonwealth countries.

5. At the reception of Heads of Republican Commonwealth countries or His Majesty The Yang di-Pertuan Agong (Paramount Ruler) of Malaysia, the national anthem of the Commonwealth country concerned is to be played.

6. For the reception of foreign Sovereigns and Presidents and members of reigning foreign Royal Families, see **9208**.

#### **9205. Musical Salutes and Airs**

1. The following airs are to be played on the occasions below:

a. At the reception of the Secretary of State for Defence, the Admiralty Board, acting as a Board, a Commonwealth Naval Board, Chief of Defence Staff (if a naval officer), Chief of Naval Staff and First Sea Lord, Admirals of the Fleet, former First Sea Lords and Admirals who have served as Chiefs of Defence Staff, Admirals and Commanders-in-Chief: Rule Britannia.

b. General Salute for British officers of Flag rank and Commodores not entitled to Rule Britannia: Iolanthe.

c. General Salute for Governors and Lieutenant-Governors (as defined in **9306**) of Commonwealth countries within their respective jurisdictions, British General officers and Brigadiers, officers of Air rank, foreign officers and officials of rank equivalent to British officers and officials so entitled: Garb of Auld Gaul; for Royal Marines General officers: The Preobrajensky March.

d. March past for the Royal Navy: Heart of Oak.

e. March past for the Royal Marines: A Life on the Ocean Wave.

f. Regimental slow march for the Royal Marines: The Preobrajensky March.

g. Advance in Review Order: Nancy Lee.

2. The General Salute or, for a Commodore the Commodore's Salute, shall be sounded on the bugle when no band is available to play the National Anthem or musical salute.

3. Commonwealth naval officers should be accorded the same musical salutes as RN officers of equivalent rank and status.

#### **9206. The Queen and Members of the British Royal Family**

1. The Queen, The Duke of Edinburgh and other members of the Royal Family are to be received on board any of Her Majesty's Ships or on arrival at naval establishments by a Royal Guard with arms presented, the bugles sounding the 'Alert', the officers saluting, and the band playing the National Anthem, as in **9204**. A similar procedure is to be adopted on the departure of the Royal personage unless dispensation has been granted by the Royal personage to reduce or modify the arrival or departure ceremonial.

2. If other members of the Royal Family are present on the same occasion as The Queen or The Duke of Edinburgh, the Royal Salute as in Clause 1 is to be given on their arrival and departure, but the band is not to play the National Anthem for them.

## **BRd 2**

3. Other members of the Royal Family, when The Queen and The Duke of Edinburgh are not present, are each to be received on board with the Royal Salutes as in Clause 1 but if more than one member is or will be present the band is to play the National Anthem only for that member of the Royal Family for whom the Guard is paraded.

4. On the occasion of informal visits to HM ships or Naval establishments by The Queen or The Duke of Edinburgh or any other member of the Royal Family, the personal standard is not to be hoisted, nor are gun salutes to be fired. A Royal Guard and band are, however, to be paraded unless otherwise ordered.

### **9207. Spare**

### **9208. Foreign Sovereigns, Presidents of Republics, and Members of Foreign Reigning Royal Families**

1. The honours and marks of respect laid down in **9206** are to be paid, as applicable, to foreign Sovereigns (**9103** and **9408**), Presidents of Republican States and members of foreign reigning Royal Families, except that the foreign national anthem is to be played instead of the British. A foreign national anthem is to be played in full unless a recognized abbreviated version is known to exist. Should the appropriate foreign national anthem not be available, the musical salute to be played is *Garb of Auld Gaul*.

### **9209. Commonwealth Governors-General, etc, Heads of Commonwealth Republican Countries, HM The Yang Di-Pertuan Agong of Malaysia**

1. These, within their jurisdiction or while proceeding on the public service, are to be received on board any of Her Majesty's Ships with the military honours and marks of respect due to the Sovereign, the appropriate musical salute as prescribed in 9204 being played.

2. Governors and Lieutenant-Governors (as defined in **9306**) when in uniform, and within their jurisdiction, are to be received with the honours and marks of respect prescribed for Flag Officers who are Commanders-in-Chief, the musical salute prescribed by **9205** being played. The side is not, however, to be piped except in accordance with **9201.5**.

### **9210. Commonwealth Prime Ministers and Foreign Heads of Government**

1. The Prime Minister of the United Kingdom, the Prime Ministers of other Commonwealth countries, and the heads of government of foreign nations are to be received with the 'Alert' when visiting HM Ships in their official capacity.

### **9211. Foreign Governors-General, Governors, Officers and Officials**

1. Subject to any special instructions laid down in station orders, Governors-General and Governors in foreign countries should normally receive the same marks of respect as are given to British officials in similar positions.

2. The same honours and marks of respect are to be paid to foreign officers of equivalent rank as are prescribed by these regulations for British officers, except for musical salutes, which are to be in accordance with **9205.1c**.



3. Foreigners of high distinction who are normally received with a guard of honour when visiting ships of their own nation are to be similarly received when visiting Her Majesty's Ships.

## **9212. Officers of Non-Military Services**

1. All officers of Her Majesty's Foreign, Commonwealth, and other non-military services, in uniform and entitled to a salute of eleven guns or more, are to be received on board any of Her Majesty's Ships with the 'Alert'.

2. When other British representatives pay official visits, the senior officer present may direct, when it is considered appropriate, that ships' companies be called to attention by pipe.

3. It is also at the discretion of the senior officer present to order that other distinguished persons visiting Her Majesty's Ships in their official capacity shall be received with the 'Alert', when it is considered that this action would be appropriate.

4. Civic dignitaries paying official visits are to be received with the military honours and marks of respect as detailed at Annex 92A. Some Mayors and other civic office-holders still use *ex officio* the title of 'Admiral' (deriving from ancient rights in Admiralty which are now generally repealed) but the bearers are not recognised as entitled to fly a personal flag in HM ships, to wear any form of naval uniform or to be greeted with naval or military honours.

5. Officers of Her Majesty's Foreign, Commonwealth and other non-military services who are also officers of Flag rank or General or Air officers are, when wearing the uniform of their naval, Army or RAF rank, entitled in every respect to the honours due to that rank if these are higher than those due to their civil office, but when they are received on board Her Majesty's Ships the band is to play the salute applicable to the civil appointment held. Should the civil appointment not entitle the holder to a musical salute, he should be received, if wearing the uniform of his naval, military or air force rank, with the musical salute due to that rank.

6. Except as directed above and in **9201, 9209 and 9210**, officers of Her Majesty's Foreign, Commonwealth and other non-military services are not entitled to the military honours prescribed in this section.

## **9213. Commonwealth Naval Boards**

1. When members of Commonwealth Naval Boards, acting as Boards, pay an official visit to any of Her Majesty's Ships or Naval Establishments, they are to be received by a guard with arms presented, the bugles sounding the 'Alert', the officers saluting, and the band playing the salute.

2. Naval members of Commonwealth Naval Boards, when paying an official visit to any of Her Majesty's Ships or Naval Establishments and not acting as a Board, are to be received by the guard and band appropriate to their ranks.

## **9214. Honorary Admirals of the Fleet and Admirals**

1. An Honorary Admiral of the Fleet or Honorary Admiral, when in naval uniform, is to be accorded the same honours and marks of respect as an Admiral of the Fleet or Admiral.

## **9215. Officers of Flag Rank and Commodores**

1. During Formal visits, Flag Officers and Commodores entitled to fly a broad pennant are to be received on board any of Her Majesty's Ships or on arrival at a Naval Establishment by a bugle sounding the 'Alert' and a guard presenting arms accompanied with the appropriate musical salute from a band (see Table 92-1 and Annex 92A).
2. An informal, routine or in-transit visit to a Naval Base, Air Station or Establishment by a Flag Officer is indicated by:
  - a. Negative disc if arriving by boat.
  - b. Star plate uncovered if arriving by car; no flag displayed.

Ceremonial is to be confined to the point of entry/departure: the gate staff are to salute as the Flag Officer enters and departs the Establishment. Neither OOD nor ceremonial sentry is required and the 'Alert' is not to be sounded. The Flag Officer is to be met at the destination area by the Commanding Officer or Head of Department concerned. Car door opener(s) and ceremonial sentries are not to be provided. Thereafter normal marks of respect apply whether the Flag Officer is on foot or in a car; individuals should salute in passing but keep walking unless engaged in conversation by the Flag Officer. The officer or rating in charge of a squad only should salute on the march or if stationary, call the squad to attention and salute.

3. Other officers of Flag rank and Commodores who are not entitled to fly flags and broad pennants are to be received in the same manner, as clause 1, when paying a formal visit and in the same manner as clause 2 for other visits.

## **9216. Captains**

1. A Captain, conducting a formal visit, is to be received on board any of Her Majesty's Ships or on arrival at a Naval Establishment by a guard with arms presented.

## **9217. Honours at Departure as well as at Reception**

1. The military honours and marks of respect authorised in the foregoing articles are not to be rendered at the departure as well as the reception of the personages and officials specified, unless specifically ordered for by the visiting personage.

## **9218. Proceeding on Board Otherwise than by Boat**

1. When an officer proceeds on board one of Her Majesty's Ships or arrives at a Naval Establishment otherwise than by boat, in circumstances under which he would be flying his flag or pennant if he had proceeded by boat, he is to receive the same honours and marks of respect as if he had so proceeded, but see **9203.4** on piping the side.

## **9219. Navy, Army and Air Force - Reciprocal Honours**

1. Officers of the Royal Marines, the Army and the Royal Air Force, when in their Service uniform, are to be received on board any of Her Majesty's Ships, or on arrival at Naval Establishments, with the same honours and marks of respect as are directed by these regulations to be paid to officers of corresponding rank and status in the Royal Navy, when the occasion of the visit is of a similar nature to those laid down, except as regards piping the side.
2. Officers of the Royal Navy, being in their Service uniform, are to have the same honours and marks of respect from Royal Marines, Army and Royal Air Force units as the officers of corresponding rank and status in those services.

## **9220. Officers on the Retired List**

1. The 'Alert' is to be sounded and the side piped for an officer on the Retired List under the same rules (**9202 and 9203**) applicable to an officer of equivalent rank on the Active List, when he goes on board any of Her Majesty's Ships, or arrives at a Naval Establishment, in his proper uniform.

## **9221. Boat Passing with Royal Personage, or Flag Flying**

1. When a Royal personage or Head of State in a boat or tender, or the Admiralty Board, a Flag Officer or Commodore, with flag or broad pennant flying in a boat or tender, is passing a ship not under way, the 'Alert' is to be sounded, the OOD only to salute and those officers and ratings on the upper deck to stand to attention and face the passing boat or tender.

## **9222. Boat Passing with Flag Discs Displayed**

1. When a member of the Admiralty Board not acting as a Board, an officer of Flag rank, or a Commodore in uniform in a boat displaying a red or blue disc, as appropriate, is passing a ship not under way, the 'Alert' is to be sounded.
2. The white (negative) disc will be displayed on a Flag Officer's barge either to prevent the work of the ship being interfered with or to avoid the ship's company being disturbed during the meal hours and dog watches. In this case the 'Alert' is not to be sounded nor the hands on deck called to attention, the Officer of the Watch only saluting. When the Flag Officer, either in uniform or plain clothes, passes close to the ship, and the 'Alert' has not been sounded, officers and ratings who are close to the ship's side should stand to attention as an act of courtesy.

**Table 92-2. Marks of Respect to be Paid by Ships Being Passed  
by Boats with Important Personages (see 9221 to 9223)**

Indication	Alert	Pipe 'Still'	Guard and Band
(1)	(2)	(3)	(4)
Standard	Yes	(i)	No
Admiralty Board Flag	Yes	(i)	No
Flag or broad pennant	Yes	(i)	(ii)No
Red or blue disc (9174)	Yes	(i)	No
White (negative) disc (9174)	No	No	No
Masthead pennant	No	Yes	No
Governor or other official flying flag who is received with guard and band (9223)	Yes	(i)	No
Official who is received with 'Alert' only (9223)	Yes	(i)	No



**Notes:**

- 1        *The 'Still' is to be piped if no Bugler is available. Ships under way are to pipe the 'Still' only.*
- 2        *The ship of an officer senior to the officer in the boat should sound the 'Alert' but not parade guard and band (9221)*
- 3        *The Officer of the Watch (or if none the Quartermaster) should salute from the gangway in ships not under way in all the above cases.*
- 4        *The same marks of respect are to be paid to equivalent foreign officers and officials.*

**9223. Boat Passing with Governor-General, Governor, Lieutenant-Governor**

1.        When a Governor-General, Governor, or Lieutenant-Governor, as defined in **9306**, with his flag flying in a boat or tender, passes one of Her Majesty's Ships which is not under way, the 'Alert' is to be sounded, the OOD only to salute and those officers and ratings on the upper deck stand to attention and face the passing boat or tender.
2.        When a person who is about to be, or has been, received with the 'Alert' passes one of Her Majesty's Ships which is not under way, the 'Alert' is to be sounded (see *also* **9212**).

**9224. Two Ships Passing**

1. When in the periods:
  - a. between sunrise and five minutes to morning Colours,
  - b. between morning Colours and five minutes before evening Colours,
  - c. between evening Colours and Sunset,

one of Her Majesty's Ships passes another ship which is not under way, and if either be flying a Standard, Admiralty Board Flag or other distinguishing flag, or is a flagship or foreign warship, the junior ship is to sound the 'Alert' and the other is immediately to do likewise and after a short interval sound the 'Carry on'. The junior ship is, after a short interval, also to sound the 'Carry on'. In cases of doubt as to seniority, especially where foreign warships are involved, Her Majesty's Ships are to be prepared to give the salute first at the most opportune moment, provided that they are satisfied that it is likely to be returned in a similar manner.

2. If guards and bands are paraded, the junior ship is to give the appropriate salute as laid down in **9206, 9208, 9213 and 9215**, the guard in the senior ship receiving the salute at the 'Slope'; but if one of the ships be a foreign warship, a similar salute to that laid down in **9215** is to be given by the junior and returned in full by the senior, the bands playing the foreign national anthem.

3. If neither ship be a flagship, or a warship or a foreign nation, the bugle is not to be used but similar marks of respect are to be paid and returned by pipe. If guards and bands are paraded, the guard is to remain at the 'Slope'.

4. When one of Her Majesty's Ships passes another ship which is also under way, the foregoing marks of respect are to be paid and returned by pipe only. If guards are paraded the guard is to come to the 'Slope', but if a foreign warship should act, or appear likely to act, as laid down in Clause 1, reciprocal action is to be taken by one of Her Majesty's Ships when passing, or being passed by, such foreign warship.

5. When ships are in company at sea, marks of respect are only to be paid as follows:
  - a. On first passing after sunrise each day.
  - b. On inverting the line during manoeuvres.
  - c. On hauling off or disengaging after replenishment or transfers (not on approach).

**9225. Relaxation of 9215 to 9220 and 9224**

1. Notwithstanding the provisions of these Articles, Commanders-in-Chief and Flag Officers are authorised to permit limited relaxation's of military honours and marks of respect at Annex 92 in individual ships and naval establishments under their command, in which the rigid application would cause unacceptable interruptions to the routine work on which their ship's companies are engaged. Relaxation's are not permitted in the case of visits by HM Ships to foreign ports or when passing or being passed by foreign warships.

## **9226. HM Army and Air Force Vessels**

1. Her Majesty's Army and Air Force vessels (**9135**) will conform with the normal ceremonial respects paid by Her Majesty's Ships at sea as laid down in **9224**, except that, as bands are not included in their companies, marks of respect will be paid by pipe.

## **9227. Salutes and Marks of Respect in Boats**

1. The rules are given in BRd 67 *Admiralty Manual of Seamanship* Chapter 5.
2. Ceremonial reception at anchor or a buoy is given in BRd 1834 *Royal Navy Drill*, Chapter 11.

## **J.9228. Guards of Honour**

1. **Not Exceeding 103 Servicemen.** A guard of honour not exceeding a total of 103 ratings, soldiers or airmen with three officers, a band and colour as appropriate may be mounted as follows:

- a. For The Queen or a member of the Royal Family who is a Royal Highness;
- b. For a foreign Sovereign, Head of State, or a member of a reigning foreign Imperial or Royal Family;
  - (1) When attending Service occasions.
  - (2) On other occasions when ordered to do so by the Defence Council or a Commander-in-Chief. When a Commander-in-Chief proposes to mount a guard of honour for one of the personages mentioned in b on his arrival in the United Kingdom, the Defence Council is to be informed immediately.
- c. At State ceremonies when ordered to do so by the Defence Council.
- d. For a Governor-General, Governor, High Commissioner or Officer administering a British Commonwealth country, Associated State or Dependent Territory, or for an Ambassador when taking the salute on the occasion of The Queen's Birthday Parade when British troops are stationed in a Commonwealth country of which The Queen is not Head of State.

2. **Not Exceeding 50 Servicemen.** A guard of honour not exceeding a total of 50 ratings, soldiers or airmen with two officers, a band and colour as appropriate is to be mounted as follows:

- a. To receive a foreign head of government.
- b. To receive the Secretary of State for Defence at a Service station.
- c. To receive the Chief of Defence Staff, First Sea Lord and Chief of Naval Staff, former First Sea Lords and Admirals who have served as Chief of Defence Staff, the Chief of the General Staff or the Chief of the Air Staff on an official visit to any formation of the three Services.

- d. To receive a Commander-in-Chief or a Flag, General or Air Officer Commanding-in-Chief on his arrival and departure on a ceremonial occasion within his command and when he first takes up and finally quits his command if outside the United Kingdom.
- e. To receive a Commonwealth or foreign officer of Flag, General or Air rank who is a Chief of Defence Staff or a Head of a single Service, or an officer holding a four star or five-star appointment in a Commonwealth or foreign country, on his arrival in the United Kingdom or at a Service station within a territory subject to Her Majesty's authority to visit the civil Governor or officer in command.
- f. To receive a Minister of Defence of a Commonwealth or foreign country on his arrival in the United Kingdom in an official capacity.
- g. To receive the Secretary-General of the North Atlantic Treaty Organization, or other international organization of similar status of which the United Kingdom is a member country, on his arrival in the United Kingdom in an official capacity.
- h. On other occasions, subject to the approval of the Defence Council at stations in the United Kingdom, or of the British representative in the territory or senior Service officer as may be appropriate at stations abroad.

#### **J.9229. Honours and Salutes to Members of the Royal Family and other Personages**

1. The honours and salutes to be given by guards of honour and on parades on the arrival and departure of The Queen and other members of the Royal Family are as follows:

- a. To The Queen, The Duke of Edinburgh and The Prince of Wales:

Royal Salute-Arms presented, Standards, Guidons and Colours lowered. The band is to play the first verse of the National Anthem for The Queen and The Duke of Edinburgh but only the first six bars for The Prince of Wales. If the Duke of Edinburgh or The Prince of Wales arrives or departs during The Queen's presence the National Anthem is not to be played.

- b. To other members of the Royal Family who are Royal Highnesses:

Royal Salute-Arms presented, Standards, Guidons and Colours lowered and the first six bars of the National Anthem played, except that,

(1) when any of the personages at 'a' are present, six bars of the National Anthem are to be played only if specially ordered for the member for whom the parade is held; and

(2) when none of the personages mentioned at 'a' are present, but more than one other member of the Royal Family is present, the first six bars of the National Anthem are to be played only for the member for whom the parade is held.

## BRd 2

2. Arms are to be presented to the Crown when in ceremonial procession and not in the presence of the Sovereign, but Standards, Guidons and Colours are not to be lowered and bands are not to play the National Anthem.

3. The honours and salutes to be given by guards of honour and on parades on the arrival and departure of other personages are as follows:

- a. To foreign Sovereigns and the other personages mentioned in **J.9228.1b**;

Royal Salute-Arms presented, Standards, Guidons and Colours lowered and the band plays the whole of the national anthem of the personage.

- b. To a Governor-General and the other personages mentioned in **J.9228.1d**;

Royal Salute-Arms presented, Standards, Guidons and Colours lowered and the band normally plays the first six bars of the British National Anthem. Within independent States, however, the playing of national anthems will be subject to local instructions.

- c. To a head of government as mentioned in **J.9228.2a**:

General Salute-Arms presented and the band plays the National Anthem of the recipient. Standards, Guidons and Colours are not to be lowered.

- d. To the personages mentioned in **J.9228.2b** and **c** and to Admirals of the Fleet, Field Marshals and Marshals of the Royal Air Force, other officers of Flag, General or Air rank, and Commonwealth or foreign officers of corresponding rank, and inspecting officers of lower rank:

General Salute-Arms presented and the band plays the general salute or in the Royal Navy the appropriate salute. Standards, Guidons and Colours lowered only for the personages mentioned in **J.9228.2a** and **b** and for Admirals of the Fleet, Field Marshals and Marshals of the Royal Air Force.

4. Personages mentioned in **J.9228.1d** who are also officers of Flag, General or Air rank are entitled to the honours due to their rank as well as those due to their civil office.

5. Service officers in any civil office are entitled to the honours appertaining to such office.



**J.9230. Compliments by Guards and Sentries**

1. Compliments are to be paid by guards and sentries as prescribed in **J. Table 92–3**.

**J. Table 92-3. Compliments by Guards and Sentries (see J.9230)**

	<b>GUARDS</b>		<b>SENTRIES</b>	
	<i>A. Guards mounted on</i>	<i>B. Guard to turn out and present arms to</i>	<i>C. Sentry to present arms to</i>	<i>D. Sentry to salute</i>
1	The Queen and The Duke of Edinburgh	The Queen and The Duke of Edinburgh	All members of Royal Family	All officers in uniform
2	Other members of the Royal Family	As in Serial 1B and to all other members of the Royal Family	All members of Royal Family	All officers in uniform
3	Governors-General, Governors, High Commissioners or Officers administering British Commonwealth countries, Associated States or Dependent Territories	As in Serial 2B, to the personage on whom the guard is mounted and to personages of similar or higher degree	As in Serial 3B	Personages of lower degree and all officers in uniform
4	Officers of Flag, General or Air rank	As in Serials 1A, 2A and 3A and to officers of Flag, General or Air rank when in uniform	As in Serial 4B	Officers below Flag, General or Air rank in uniform
5	Officers below Flag, General or Air rank		As in Serial 5B and to field officers or the equivalent	All other officers in uniform
6	Regimental Guards	As in Serials 1A, 2A, 3A and 4A and once a day to their Commanding Officer	As in Serial 5C	All other officers in uniform

Guard's are also to turn out and present arms to armed parties (see definition in BRd 1834, *Royal Navy Ceremonial and Drill*).

**9231. Salutes**

1. **Naval Personal Salute.** The personal salute, in addition to being a mark of respect, is an act of courtesy and good manners. It is never wrong to salute even if subsequently the person saluting another discovers that person is not entitled to be saluted. All Service personnel are to salute on the occasions and in the manner prescribed below:

## BRd 2

2. **Method.** The method of making the naval personal salute with the hand is laid down in BRd 1834, *Royal Navy Ceremonial and Drill*. Ratings are to salute all Officers, and Chaplains; Officers are to salute those superior to them in rank. The naval personal hand salute is only to be made when the senior person is in uniform and wearing uniform headgear (see clause 3 and the exception at 4a(e) below). Without uniform headgear and when civilian clothes are being worn a verbal salutation is only to be given, e.g.: 'Good Morning/Afternoon/Evening Sir/Ma'am' by the junior person. When the junior person is in civilian clothes, sports rig or in uniform without uniform headgear the head and eyes are turned in the direction of the person to whom the compliment is being given. The mode of salute to be used by Royal Marines is that laid down in Military regulations and is taught in the Corps (see BRd 2118, *Royal Marines Drill*).

3. Uniform Headgear is any headgear identified in Naval Personnel Management (BRd 3, Chap 37 - 45).

## 4. **Saluting Occasions.**

a. All officers and ratings in uniform are to salute the following on all occasions:

(1) The Queen and all members of the Royal Family and foreign Royal Families whether they are in uniform or civilian clothes.

(2) Officers in uniform senior to them of the Royal Navy, Royal Marines, Royal Naval Reserve and Royal Marines Reserve, and commissioned officers in the Army and Royal Air Force. Sea Cadet Corps and Combined Cadet Force (CCF) officers should also be saluted when carrying out their duties as such.

(3) Uniformed officers senior to them of Commonwealth naval, military and air forces.

(4) Uniformed officers senior to them of foreign naval, military and air forces.

(5) Officers in plain clothes recognised and known to be senior officers when arriving/departing official functions. (see b, c and d).

(6) Occupants of cars flying official military distinguishing flags or pennants, or bearing star plates, of senior officers.

(7) Uncased Colours carried by naval, army or air force units.

(8) The coffin in funeral processions.

(9) The Cenotaph, Whitehall, London.

(10) Junior officers are to salute their superiors, (includes one up and above), on the first meeting each day

The following exceptions apply:

(11) In the interests of safety, the driver of a vehicle or the rider of a motorcycle or bicycle is not to salute. This exception does not resolve the requirement for a junior officer or rating on foot from saluting the rider of a bicycle in uniform upon passing.

(12) Officers in attendance on Her Majesty or other Royal personages (or the personal staff of Governors-General or Governors representing the Sovereign) are not to salute when the National Anthem is played for the Royal Salute.

(13) During ceremonial parades, officers in attendance on a senior officer are not to salute when the senior officer receives a personal salute from the guard.

b. **On board Her Majesty's ships.**

(1) All Officers and ratings are to salute when coming onboard or leaving one of Her Majesty's Ships. The Hand Salute is only to be made when in uniform. When civilian clothes are worn, the person saluting stands to attention at the inboard head of the brow for the duration of 2 marching paces before carrying on. For all officers, the gangway staff will return the salute of officers crossing the ship's brow.

(2) Officers and ratings need only salute officers senior to them when addressing or being addressed by those officers on formal occasions - reporting Colours, Sunset, Rounds, Both Watches and Inspections.

(3) Officers and ratings are to salute the Commanding Officer and Executive Officer upon meeting for the first time each day when passing on the upper deck.

c. **In Naval Establishments.** The term Naval Establishments encompasses Royal Naval Air Stations and Naval Bases. The following rules for the exchange of personal salutes when in uniform are to be observed:

(1) When outdoors, a rating who is standing is to face and salute a superior officer who passes him; if sitting, or kneeling and at work, when a superior officer passes, he is, where it is safe and practicable to do so, to rise, stand to attention and salute.

(2) When outdoors two or more officers or ratings, not in an organised party, pass or are passed by a senior officer, all are to salute.

(3) When outdoors a junior officer in company with a senior officer is to salute only those officers who are senior to the latter.

(4) Officers are to return all salutes from junior officers and ratings. When two or more officers together are saluted, the senior officer only is to return the salute.

(5) When an outdoors organised party positioned at the halt and under the charge of an officer or rating is passed by a senior officer, only the officer or rating in charge is to salute, first calling the party to attention and to face the appropriate direction.

(6) Salutes to be given by organised parties on the march as follows:

(a) When commanded by an officer: the officer-in-charge is to give the order 'Eyes Right' (or 'Left') and is to salute when passing:

- (i) An officer senior to the officer-in-charge and equivalent ranks in the other Services.
- (ii) The Colours of the Royal Navy, Queen's Colours or Regimental Colours, uncased.
- (iii) The body when a funeral is passing.



**Notes:**

1. *When passing other officers senior to the officer-in-charge, formed armed parties or guards of honour without Colours or with Colours cased, the officer-in-charge of the party is to salute.*
2. *When saluted by officers junior to the officer-in-charge, or ratings, the officer-in-charge of the party is to return the salute.*

(b) When commanded by a rating: the rating-in-charge is to give the order 'Eyes Right' (or 'Left') and is to salute when passing:

- (i) All officers.
- (ii) The Colours of the Royal Navy, Queen's Colours or Regimental Colours, uncased.
- (iii) The body when a funeral procession is passing.
- (iv) A formed armed party
- (v) When returning the salute of an unarmed party or sentry.

(c) When indoors, except during a formal inspection, rounds or presentations, personal salutes are not required, however when a superior officer of any armed service enters the office of a junior officer or rating, the junior officer or rating should, if seated, rise and give the greeting 'Good Morning/Afternoon/Evening Sir/Ma'am'.

d. In other Military and Ministry of Defence Headquarters and establishments. The rules and guidance at clause 4c above will apply unless varied or relaxed by that establishment's Commanding Officer, Principal or Head of Establishment.

5. **Hoisting or Hauling Down Colours.** When the Colours are hoisted or hauled down and when the National Anthem, and/or Commonwealth and foreign national anthems are played, all officers and ratings not fallen in are to face in the appropriate direction and stand to attention, saluting if in uniform and wearing uniform headgear, when in sight of the mast or ensign during the ceremony. If the mast or ensign cannot be seen they are to face the general direction and stand to attention during the ceremony. Parties fallen in are to be called to attention by the officer or rating in charge, who alone is to salute. When a national anthem is played indoors or between decks, individual officers and ratings in uniform are to salute if wearing uniform headgear; if uncovered, they are to remain uncovered and stand to attention; those in plain clothes are to stand to attention uncovered.

6. **Female Officers and Ratings - Marks of Respect.** Female Officers and ratings of the Royal Navy and QARNNS are required to pay, and be paid, marks of respect in the same manner and on the same occasions as male Officers and ratings.

7. **Females Removing and Replacing Headgear.** Female ratings are generally excused removing headgear when their male counterparts would be expected to do so (see 'a' and 'b' below). They are however to remove their headgear as a drill movement at courts-martial, defaulters, during the reading of punishment warrants, while conducting the Festival of remembrance, at the Royal Albert Hall and during the evolution of 'Man and Cheer Ship' as defined in BRd 1834 *Naval Ceremonial and Drill Chapters 2 and 11*.

a. Female Officers and ratings are not required to remove their caps indoors (except when ordinary courtesy makes it desirable). During the playing of the National Anthem inside buildings, on occasions when Naval Officers and ratings would remain uncovered, female members of the Royal Navy are to stand to attention without saluting.

b. Female ratings are not required to remove headgear during Religious services and Church parades.

## **J.9232. Spare**

### **J.9233. Compliments in Special Cases**

1. An officer of Her Majesty's diplomatic or other non-military service is entitled to the honours and salutes appertaining to his office.

2. An officer holding a civil office who is also an officer of Flag, General or Air rank is entitled to the honours due to that rank if they are higher than those due to his civil office.

3. The compliments laid down in these regulations are to be paid to officers of corresponding rank in the Service of any power formally recognised by Her Majesty.

### **J.9234. Salutes in the Air**

1. The approved method of saluting from aircraft consists of a shallow dive and climb, but it is to be carried out only when there is a saluting base on the ground at a display or on special occasions when duly authorized by the Commanding Officer of the station concerned. The flying restrictions prescribed in JSP 318, *Military Flying Regulations*, are to be observed.

## **BRd 2**

2. Salutes are not to be exchanged between aircraft.

### **9235. Ceremonial Fly-Pasts**

1. The occasions of national importance to be recognised by ceremonial fly-pasts of RN, Army and RAF aircraft are as follows:
  - a. The actual date of the accession, coronation and wedding of the Sovereign.
  - b. The day announced in the London Gazette as the official anniversary of the Sovereign's birth.
  - c. The weddings of children of the Sovereign.
  - d. The birth of a Royal Prince or Princess.
2. Ceremonial fly-pasts may be ordered by the Defence Council on other occasions of national importance.
3. In the United Kingdom, the Defence Council will issue instructions on each occasion. Abroad, the Commander-in-Chief is to make the necessary arrangements for the fly-past, which is normally to take place in the vicinity of Government House or, where there is no direct representative of the Sovereign, in the vicinity of the headquarters of the RN, Army and RAF formation concerned.

### **9236. Freedoms of Cities, Towns, Boroughs, etc.**

1. Authority to approve applications to accept Freedoms of cities, towns, boroughs, etc. is delegated to Commanders-in-Chief. Guidance on the expenditure of public moneys for ceremonies in connection with such events is given in JSP 760, *Naval Leave and Travel Regulations*.

### **9237. National Day of Remembrance**

1. The second Sunday in November is known as Remembrance Sunday, and is observed as a National Day of Remembrance.
2. On Remembrance Sunday, a period of two minutes' silence commencing at 1100 is to be observed in HM ships and establishments. As far as practicable all work and noise in HM ships is to cease; and all machinery and work in HM establishments is to be stopped. Rail and water transport need not, however, be stopped. Powerboats of HM Ships and establishments are to stop where circumstances permit, and pulling boats are to lay on their oars.
3. Communications watches must continue.
4. The observance of the two minutes' silence is to be incorporated in the statutory Sunday Morning Service. On this occasion Commanders-in-Chief or senior officers are authorised to order officers and ratings to take part, although no officer or rating is to be obliged to attend the service of any denomination other than his own (see **9316**). Mourning bands are not worn (**9511**).

5. The above procedure is to be carried out on the Day of Remembrance when in company with ships of any other nation. In Commonwealth and foreign ports HM Ships should, in addition to the above procedure, conform to local custom as regards observance. Details of local procedures in foreign ports are contained in the appropriate Port Guide and advice should be sought in advance from the Defence, Military or Naval attache as appropriate. With a view to avoiding any misunderstanding, the senior British naval officer is always to inform the senior officers of any foreign ships in company in good time of the procedure which will be carried out by HM Ships.

**9238-9299. Unallocated.**

**ANNEX 92A**

**MARKS OF RESPECT AND SALUTES**

See table overleaf.



GUN SALUTES BY HM SHIPS (Chapter 94)											
†The salute appropriate to the senior member present if applicable											
	Rank of Visitor	'Alert' (9202, 9212)	Pipe (9203)	Guard (9201.5)	Musical Salute (9204 - 9205)	No of Guns	Within What Limits	Occasions	How Often by Same Flag, Broad Pennant or Ship	Remarks and References	
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)
1	HM The Queen	Yes	Yes	Yes	Yes	National Anthem	21	Royal Salutes are to be fired in accordance with <b>9407 to 9412</b>			<b>9206 / 9407</b>
2	HRH The Prince Philip Duke of Edinburgh	Yes	Yes*	Yes	Yes	National Anthem	21	Ditto			<b>9206</b> *Pipe if in naval uniform 9203.2 and 9407
3	Another member of the Royal Family (see <b>J.9102</b> )†	Yes	See (11)	Yes	Yes	National Anthem (first six bars)	21	Ditto			Pipe if in naval uniform of Captain, RN or Reserve, or above ( <b>9203</b> ) 9407 and 9409
4	Foreign Sovereign, President of foreign Republican State or member of reigning Royal Family, including the following: President, United Arab Emirates; Emirs of Bahrain and Qatar†	Yes	See (11)	Yes	Yes	Foreign national anthem	21	Ditto			<b>9208</b> Pipe if in naval uniform ( <b>9203.2</b> ) 9408

GUN SALUTES BY HM SHIPS (Chapter 94)											
†The salute appropriate to the senior member present if applicable											
	Rank of Visitor	'Alert' (9202, 9212)	Pipe (9203)	Guard (9201.5)	Musical Salute (9204 - 9205)	No of Guns	Within What Limits	Occasions	How Often by Same Flag, Broad Pennant or Ship	Remarks and References	
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)
5	Governor-General as defined in <b>9306.1a</b>	Yes	No	Yes	National Anthem (first six bars)	21	Those of his Government	(i) By the ship from which he lands on first appointment or on return from leave of absence * (ii) By a ship visited, either on going on board or on leaving (iii) By the ship in which he embarks on finally quitting his government or on proceeding on leave of absence *.	(i) As the occasion arises (ii) Once a year and by only one ship on the same day (iii) As the occasion arises	<b>9204.2</b> and <b>9209</b> * (i) and (iii). Salute may be fired by another ship, see <b>9415.2</b>  See <b>9204.2</b> and 4  9206	
6	Head of Commonwealth Republican country, HM The Yang di- Pertuan Agong of Malaysia	Yes	No	Yes	National anthem of the Commonwealth country concerned	21		As for Serial 6		<b>9204.4</b> and <b>9209</b>	
7	Governor as defined in <b>9306.1b</b>	Yes	No	Yes	Garb of Auld Gaul*	17				<b>9205</b> , <b>9209</b> and <b>9212.4</b> * See <b>9204.4</b> for National Anthem at functions on shore	

GUN SALUTES BY HM SHIPS (Chapter 94)										
†The salute appropriate to the senior member present if applicable										
	Rank of Visitor	'Alert' (9202, 9212)	Pipe (9203)	Guard (9201.5)	Musical Salute (9204 - 9205)	No of Guns	Within What Limits	Occasions	How Often by Same Flag, Broad Pennant or Ship	Remarks and References
	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)
8	Lieutenant-Governor as defined in <b>9306.1c</b>	Yes	No	Yes	<i>Garb of Auld Gaul</i>	15		As for Serial 6		<b>9209</b> and <b>9212.4</b> Lt-Governors of Jersey, Guernsey and Isle of Man are included in Serial 9 * See <b>9204.4</b> for National Anthem at functions on shore
9	Lieutenant-Governor of Province of Canada	Yes	No	Yes	Garb of Auld Gaul*	15	Those of his Government	By a ship visited either on going on board or on leaving	Once a year and by only one ship on the same day	<b>9209</b> and <b>9212.4</b> * See <b>9204.4</b> for National Anthem for functions on shore
10	Lieutenant-Governor not administering government if holding a commission direct from The Queen	Yes	No	Yes	Garb of Auld Gaul*	15	At the seat of Government only	By ship from which he disembarks for first time or in which he embarks on final departure	As the occasion arises	<b>9209</b> and <b>9212.4</b> * See <b>9204.4</b> for National Anthem for functions on shore. Salute may be fired by another ship. See <b>9415.2</b>
11	Lieutenant-Governor other than the above	Yes	No	No	None	None	-	-		'Alert' at senior officer's discretion <b>9212.3</b> . See also <b>9212.4</b>
12	Administrator or Commissioner as defined in <b>9306.1d</b>	Yes	No	No	None		-	As for Serial 6		

GUN SALUTES BY HM SHIPS (Chapter 94)											
†The salute appropriate to the senior member present if applicable											
	Rank of Visitor	'Alert' (9202, 9212)	Pipe (9203	Guard (9201.5	Musical Salute (9204 - 9205)	No of Guns	Within What Limits	Occasions	How Often by Same Flag, Broad Pennant or Ship	Remarks and References	
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)
13	British Government representative, West Indies Associated States	Yes	No	No	No	None	None	-	-	-	-
14	Deputy British Government Representative, West Indies Associated States	No	No	NO	None	None	None	-	-	-	See 9212.2
15	Vice-President, United Arab Emirates	Yes	No	No	None	11	-	By a ship visited, either on going on board or on leaving	As the occasion arises	9208	
16	Rulers of Ajman, Fujairah, Sharjah, Umm al Qaiwain and Ras al Khaimah	Yes	No	No	None	5	-			9208	
17	Unallocated										
18	Unallocated										
19	Ambassador Extraordinary and Plenipotentiary	Yes	No	No	None	19	At all placed	By a ship whenever he embarks and , if he goes to sea in her, on final landing*	No Limitation	Nuncios rank as Ambassadors *Salute may be fired by another ship. See 9415.2	

GUN SALUTES BY HM SHIPS (Chapter 94)										
†The salute appropriate to the senior member present if applicable										
	Rank of Visitor	'Alert' (9202, 9212)	Pipe (9203)	Guard (9201.5)	Musical Salute (9204 - 9205)	No of Guns	Within What Limits	Occasions	How Often by Same Flag, Broad Pennant or Ship	Remarks and References
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(k)
20	Envoy Extraordinary and Minister Plenipotentiary, and others accredited to Sovereigns (with the exception of such as are accredited in the specific character of Minister Resident	Yes	No	No	None	17	Within the precincts of the nation to which accredited	(i) By the ship from which he lands and also that in which he embarks*  (ii) By a ship visited either on going on board or on leaving	(i) As the occasion arises  (ii) Once a year and by only one ship on the same day	Internuncios rank as Ministers *Salute may be fired by another ship. See <b>9415.2</b> .
21	Minister Resident, diplomatic authorities below rank of Envoy Extraordinary and Minister Plenipotentiary, and above that of Chargé d'Affaires	Yes	No	No	None	15	As for Serial 21			Legates possessing diplomatic status are saluted according to diplomatic rank
22	Chargé d'Affaires or subordinate diplomatic agent left in charge of a Mission	Yes	No	No	None	13	As for Serial 21			
23	High Commissioner of a Commonwealth country (other than one administering a government) or his deputy	Yes	No	No	None		-	-	-	

GUN SALUTES BY HM SHIPS (Chapter 94)											
†The salute appropriate to the senior member present if applicable											
	Rank of Visitor	'Alert' (9202, 9212)	Pipe (9203)	Guard (9201.5)	Musical Salute (9204 - 9205)	No of Guns	Within What Limits	Occasions	How Often by Same Flag, Broad Pennant or Ship	Remarks and References	
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)
24	Consul-General	Yes	No	No	No	None	13	Within the foreign port to which he belongs	By a ship visited, either on going on board or on leaving	Once a year and by only one ship on the same day	Foreign warships accord Consuls-General a salute of 11 guns only, and this number is to be accorded by HM ships to foreign Columns-General
25	Condul	No	No	No	No	None	7		As for Serial 25		*See 9212.2
26	Vice-Consul	No*	No	No	No	None	None	-	-	-	*See 9212.2
27	The Prime Minister, other Commonwealth country, foreign head of government	Yes	No	No*	None	None*	None	-	-	-	9210 *But see 9211.3 and 9424.1
28	Secretary of State for Defence	Yes	No	Yes	Rule Britannia	19	At all placed	When visiting a ship officially and, if he proceeds on a voyage in her in performance of public service, upon finally leaving			

GUN SALUTES BY HM SHIPS (Chapter 94)											
†The salute appropriate to the senior member present if applicable											
	Rank of Visitor	'Alert' (9202, 9212)	Pipe (9203)	Guard (9201.5)	Musical Salute (9204 - 9205)	No of Guns	Within What Limits	Occasions	How Often by Same Flag, Broad Pennant or Ship	Remarks and References	
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)
29	Admiralty Board when acting as a Board	Yes	Yes	Yes	Yes	Rule Britannia	†	At all places	On going on board and on leaving her	Only by one ship on the same day in the same port	
30	Minister of State for Defence	Yes	No	No	No	None	None	-	-	-	-
31	Under-Secretary of State	Yes	No	No	No	None	None	-	-	-	-
32	Chief of the Defence Staff	Yes	Yes if of Naval rank	Yes	Yes	Rule Britannia if a naval officer, Garb of Auld Gaul if a General or Air Officer	19	At all placed	When visiting a ship officially and, if he proceeds on a voyage in her in performance of public service, upon finally leaving	Only by one ship in the same day in the same port	
33	First Sea Lord and Chief of Naval Staff, Admirals of the Fleet, former First Sea Lords and Admirals who have served as Chief of Defence Staff.	Yes	Yes	Yes	Yes	Rule Britannia	17	At all places	As for Serial 33		Gun salute of 17 guns regardless of rank

GUN SALUTES BY HM SHIPS (Chapter 94)											
†The salute appropriate to the senior member present if applicable											
	Rank of Visitor	'Alert' (9202, 9212)	Pipe (9203)	Guard (9201.5)	Musical Salute (9204 - 9205)	No of Guns	Within What Limits	Occasions	How Often by Same Flag, Broad Pennant or Ship	Remarks and References	
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)
34	Chief of the General Staff and Chief of the Air Staff	Yes	No	Yes	Garb of Auld Gaul	17	At all places	-	As for Serial 34		
35	Commonwealth Naval Boards (when acting as boards)	Yes	Yes	Yes	Rule Britannia	15	At all places	On going on board a ship, and, if directed, on leaving her	Only by one ship on the same day in the same port	9213	
36	Naval member of a Commonwealth Naval Board	See Col (11)				None	-	-	-	As appropriate to rank held in accordance with local orders	
37	Other Ministers of Cabinet rank	Yes	No	No	None	None	-	-	-	'Alert' at senior officer's discretion 9212.3	
38	Flag Officer or Commodore entitled to fly a broad pennant	Yes	Yes	When paying a formal visit	Admiral of the Fleet or Admiral, <i>Rule Britannia</i> ; Vice-Admiral, Rear-Admiral or Commodore, <i>Rule Britannia</i> if a C-in-C, otherwise, <i>Iolanthe</i>	See col (11)	At all Places	Only as authorized by 9402.2	Gun salutes are accorded as follows: Admiral of the Fleet 19 Admiral 17 Vice-Admiral 15 Rear-Admiral 13 Commodore 11 9215.1		
39	Officer of flag rank or Commodore not entitled to fly a flag or broad pennant, or Commodore RNR on the Active List	Yes	Yes	When paying a formal visit		None	-	-	-	* Accprdomg to ramk	



GUN SALUTES BY HM SHIPS (Chapter 94)										
†The salute appropriate to the senior member present if applicable										
	Rank of Visitor	'Alert' (9202, 9212)	Pipe (9203)	Guard (9201.5)	Musical Salute (9204 - 9205)	No of Guns	Within What Limits	Occasions	How Often by Same Flag, Broad Pennant or Ship	Remarks and References
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(k)
40	Officer in command of HM sea-going ship	No	Yes	See Col. (11)	None	7	As a return salute only as directed by 9420.3			Received with a guard if of Captains rank and flying a pennant - 9216.1
41	Officer in command of naval establishment commissioned as HM ship	No	No	See col. (11)	None	None	-	-	-	Received with a guard if of Captains rank and flying a pennant - 9216.1
42	Captain not entitled to fly a masthead pennant	No	No	See col. (11)	None	None	-	-	-	A guard is paraded only for an officer when carrying out a formal non-departmental inspection
43	Naval officer attending a court-martial as President or member	No	Yes	No	None	None	-	-	-	
44	Officer of the Guard with pennant flying	No	Yes	No	None	None	-	-	-	9203.1h
45	Commonwealth Naval Officer					As for officers in the Royal Navy				
46	Foreign naval officer					As for officers in the Royal Navy*				
						*See 9203.2, 9211.2, 9424.2				

GUN SALUTES BY HM SHIPS (Chapter 94)									
†The salute appropriate to the senior member present if applicable									
Rank of Visitor	'Alert' (9202, 9212)	Pipe (9203	Guard (9201.5	Musical Salute (9204 - 9205)	No of Guns	Within What Limits	Occasions	How Often by Same Flag, Broad Pennant or Ship	Remarks and References
(a) (b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)
47 General or Air Officer or Brigadier Royal Marines General officers	Yes	No	Yes	Garb of Auld Gaul The Preobrajensky March	See col. (11)	At all places	Official visits to or embarkation in a ship, either on going on board or on leaving her	Only once a year abroad and once in three years at home unless the officer has received advancement* and only by one ship at the same port on the same day	Gun salutes are accorded to those officers exercising direct commands as follows: Field Marshal/Marshal of the Royal Air Force 19 General/Air Chief Marshal 17 Lieutenant-General/ Air Marshal 15 Major-General/ Air Vice-Marshal 13 Brigadier/Air Commodore 11 Salutes on embarkation or disembarkation may be fired by another ship (9415.2). This limit applies also to salutes to Flag Officers and Commodores fired by Army batteries (9422.2)
48 Foreign Army or Air Force officer						Honour as for equivalent British service and rank			9211.2, 9424

GUN SALUTES BY HM SHIPS (Chapter 94)											
†The salute appropriate to the senior member present if applicable											
	Rank of Visitor	'Alert' (9202, 9212)	Pipe (9203)	Guard (9201.5)	Musical Salute (9204 - 9205)	No of Guns	Within What Limits	Occasions	How Often by Same Flag, Broad Pennant or Ship	Remarks and References	
	(a)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	
49	Lord Mayor or Mayor	Yes	No	No	None	None	-	-	-	9212.4 On all occasions of visits in an official capacity	
50	Foreign civil official					Honors as for British officials of corresponding rank					9211, 9424. When a musical salute is authorized, Garb of Auld Gaul should be played (9205). For salutes for foreign Consuls-General, see Serial 27 col (11)
51	Lord Lieutenant	Yes	No	No	None	None	-	-	-	-	
52	Chaplain of the Fleet	Yes	Yes	No	None	None	-	-	-	See 1623 (3)	

**CHAPTER 93****OFFICIAL VISITS, PRECEDENCE AND CEREMONIES**

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## CHAPTER 93

## OFFICIAL VISITS, PRECEDENCE AND CEREMONIES

## 9301. Visits to Foreign Ports

1.
  - a. Formal visits are those requiring special honours and ceremonies to be rendered. The visits are normally made when important personages are embarked, when participating in national ceremonies or on other special occasions.
  - b. Informal visits are those involving participation in local ceremonies in which formalities are normally restricted to the customary salutes and exchange of calls; they may, and usually do, include the objectives of routine visits.
  - c. Operational (or, in the case of NATO ports, routine) visits are those made primarily for logistics, repairs, search and rescue, transport of personnel, recreation, passage through territorial waters, combined exercises, material trials, or in connection with other operational tasks. During operational visits, calls and other formalities are restricted to those necessary. During routine visits to NATO and SEATO ports, exchanges of calls are normally restricted to the senior naval officer ashore or, in the absence of such authority, to the local senior military authority.
2. **Preliminary Notification.** The preliminary notifications of formal (courtesy) visits by Her Majesty's Ships to foreign (including NATO) ports will be made by the Ministry of Defence through the Foreign and Commonwealth Office (FCO). Agreement for informal and routine visits will be sought through the appropriate British Naval Attaché. Exceptions to this are:
  - a. For informal and routine visits to certain NATO countries, the Fleet Commander is authorised to communicate direct with the appropriate foreign naval authority.
  - b. In the circumstances specified in Clause 4.
3. **Senior Officer's Notification.** When the preliminary notification has been made, the senior officer of the visiting group or squadron, or the Captain of a single ship, is to notify the British Naval Attaché of the date and time of intended arrival and probable duration of the visit. The details (times, powers and frequencies) of any radio/wireless transmission that may be required while the ship is in port is to be requested, so that the necessary approval can be obtained. (Attention is called to regulations concerning the use of radio/wireless in territorial waters issued by certain foreign governments and is promulgated in *Admiralty List of Radio Signals*, Volume 2).
4. **Visits to NATO Countries by NATO Commanded Forces.** In all informal and routine visits to NATO countries by forces under NATO command, other than an innocent passage through territorial waters, the Commander of the force will communicate with the Ministries of Defence of the countries to be visited; this will constitute a Dipclear request. For visits to non-NATO countries and formal visits to NATO countries, clearance will be sought on a national basis through the Ministry of Defence. Commanding Officers of these vessels shall be responsible to their appropriate national senior officer for the conduct and procedure of their commands in accordance with their national regulations.

5. For visits of ships of a combined NATO force, unless alternative arrangements have already been made, the Officer Conducting Exercises (OCE) will inform the national naval authorities normally responsible for the administration of the ships concerned of the requirement for their ship or ships to pay such a visit to the port or ports named. This action should normally be taken through the national senior officer of each nation taking part in the exercise. Thereafter, each national naval authority will take the necessary action to obtain the clearance required.

6. Any NATO vessels in difficulty may request shelter directly from a local authority. This request shall be sent for information to the vessel's national representative in the State being visited. Such a visit shall be regarded as a routine visit.

### **9302. Commonwealth and Foreign Naval Officers**

1. The following rules are to be observed by all naval officers in reference to the interchange of visits with officers of Commonwealth and friendly warships in all ports whether British, Commonwealth or foreign.

2. On the arrival of any warship of another country, the Flag Officer or other officer in command of one or more warships in port, whatever may be their rank, is to send an officer to such arriving ship, or in the case of a fleet or squadron, to the ship of the officer in chief command of it, to offer the customary courtesies. The Captain of the ship to which this visit is paid is to send an officer to return the call.

3. Within 24 hours of arrival, the Flag Officer or other officer in command of the arriving ship or ships is to visit the officer in chief command of the fleet or squadron or single warship of another country present at the port, if equal in grade, and the visit will be returned within 24 hours of being paid. In the case of officers of different grades, the inferior is to pay the first visit, the same limits of time being observed as to the visit and its return. The grades are:

Admiral	Captain
Vice-Admiral	Commander
Rear-Admiral	Lieutenant-Commander or other officer in command
Commodore	

Exceptionally, for the purpose of this Article, the professional head of a navy is to be regarded as the senior officer regardless of actual rank and seniority. As between officers holding these appointments the normal rules of rank and seniority apply.

4. Officers of superior grades are to return the visits as follows:

a. Flag Officers and Commodores are to return the visits of Captains and those of grades superior to Captain; they should send their Flag Captains to return the visits of Commanders, Lieutenant-Commanders and other officers in command.

b. Captains and officers of a lower grade are to return the visits of officers of inferior rank in command.

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5. After the interchange of visits between the senior officers has taken place, the Captains or other officers in command of the several ships of war arriving should visit the Captains or other officers in command of the warships in port, who will return their visits.

6. Her Majesty's officers may expect that strict reciprocity will be observed in similar circumstances by Commonwealth and foreign naval officers in respect of those visits of ceremony.

### **9303. Commonwealth and Foreign Authorities**

1. The Governor of a province, territory, or Colonial possession, if residing in or near the port, is to receive the first visit from the senior officer in command of Her Majesty's ship or squadron visiting a Commonwealth or foreign port. This visit will be returned in person to Flag Officers and Commodores, and by an aide-de-camp or other officer to officers of lower rank.

2. The chief civilian authority of the port should, as a general rule, receive the first visit from the senior officer in command of Her Majesty's ship or squadron visiting a Commonwealth or foreign port.

3. The Flag Officer or other officer in command of the arriving ship or ships is to pay the first visit to the senior officers of the military and air forces in the vicinity of the port if equal in rank, and the visit will be returned within 24 hours of being paid. When the officers are not of equivalent rank, the inferior should pay the first visit, the same limit of time being observed as to the visit and its return. The procedure for return visits will be similar to that laid down in **9308.3**.

4. Exceptionally, for the purpose of this Article, the professional head of an armed Service is to be regarded as the senior officer regardless of his actual rank and seniority. As between officers holding these appointments the normal rules of rank and seniority apply.

### **9304. HM Diplomatic Officers**

1. Every Flag or other officer in command is to pay the first visit to Her Majesty's diplomatic officers in charge of Embassies or Legations, including those of other Commonwealth countries, of or above the rank of Chargé d'Affaires; but they will receive the first visit from diplomatic functionaries below that rank.

2. In case of doubt the status of the diplomatic functionary in charge of the Embassy or Legation should be ascertained before the interchange of visits.

3. Naval officers are normally under no obligation to visit Commonwealth Ambassadors, although it may occasionally be politic to exchange calls. When such occasions arise, the precedence for calls is detailed in Clause 4.

4. When ships of the Royal Navy visit Commonwealth and foreign ports at which Commonwealth as well as United Kingdom diplomatic and/or consular officers are stationed, the United Kingdom representatives should take precedence of their Commonwealth colleagues irrespective of their seniority in rank or residence at post.

Conversely, when ships of a Commonwealth Navy visit ports at which diplomatic and/or consular officers of their own country are stationed, the United Kingdom representatives should yield precedence to them irrespective of seniority in rank or residence at post. When ships belonging to one Commonwealth country visit ports at which are stationed diplomatic and/or consular officers not of that country but of other Commonwealth countries, the United Kingdom representatives will not raise objection if their Commonwealth colleagues claim precedence by virtue of seniority.

### 9305. Consular Authorities

1. On the arrival of a fleet, squadron, or ship at a foreign port the first visit is to be paid by the naval or consular officer, including consular officers of other Commonwealth countries (see **9304.3**), who is subordinate in rank to the other.

2. Officers of the British Consular Service rank with officers of Her Majesty's Navy as follows:

Consul-General with, but after, Rear-Admiral  
 Consul with, but after, a Captain of the Royal Navy  
 Vice-Consul with, but after, Lieutenant-Commander  
 Consular Agent with, but after, Lieutenant

3. The officer in charge of a consular post during the absence of the incumbent will take, while in charge, the rank of the incumbent.

### 9306. Definition of Governor-General, Governor, etc.

1. For the purposes of this chapter the personages referred to below are defined as shown:

a. The term Governor-General includes:

The Governor-General of Canada  
 The Governor-General of the Commonwealth of Australia  
 The Governor-General of New Zealand  
 The Governor-General of Jamaica  
 The Governor-General of Barbados

b. The term Governor includes:

Governors of Australian States  
 Governors of the West Indies Associated States  
 The Governor or High Commissioner, if administering the government, of any of Her Majesty's colonies, protectorates, territories or dependencies, or of Trust territories.  
 The Lieutenant-Governors of Jersey and Guernsey  
 The Lieutenant-Governor of the Isle of Man



**Note.** High Commissioners of Commonwealth countries (other than those administering a government) and their Deputies are not entitled to the military honours detailed in this chapter, but are to be received on board Her Majesty's ships with the 'Alert'.



## BRd 2

c. The term Lieutenant-Governor means a Lieutenant-Governor administering the government as such. It does not include an officer merely holding the title of Lieutenant-Governor, except when he is actually administering the government, when b above applies.

d. The terms Administrator and Commissioner signify the Administrator or Commissioner of a Colony, territory or dependency acting in subordination to a Governor or High Commissioner. They include the Administrators or Commissioners of Trust territories.

### J.9307. Exchange of Official Visits with The Queen's Representatives

1. For the purpose of this regulation The Queen's representatives are to be regarded as the persons mentioned in **J.9228.1d**.

2. The procedure set out in **J. Table 93–1** is to be observed on the following occasions:

a. By the senior officer in command of Her Majesty's ships and squadrons visiting a port when The Queen's representative is present.

b. By the officer in command of each Service when a newly appointed Queen's representative assumes office.

c. By the officer in command of each Service when taking up his appointment.

### J. Table 93–1. Exchange of Official Visits with The Queen's Representatives (see J.9307)

Rank of Service Officer	GOVERNOR-GENERAL		GOVERNOR		ADMINISTRATOR OR COMMISSIONER	
	First call made by	How returned	First call made by	How returned	First call made by	How returned
<i>RN</i> Commander-in-Chief, Flag Officer or Commodore flying his flag or broad pennant <i>Army</i> Brigadier or above in command <i>RAF</i> Air Commodore or above in command <i>RAF</i> Air Commodore or above in command	Service officer	Not returned	Service officer	Returned in person	Administrator or Commissioner	Return in person
<i>RN</i> Captain in command <i>Army</i> Colonel in command <i>RAF</i> Group Captain in command	Service officer	Not returned	Service officer	Returned by deputy	Service officer	Return in person
All other officers in command	Service officer	Not returned	Service officer	Returned by deputy	Service officer	Return by deputy

**Notes:**

1. *Should the governor or any other officer administering the government find that from indisposition or pressure of important business, he is unable to return or pay a visit in person, he will depute his aide-de-camp or some other officer to do so. Should an RN, Army or RAF officer as shown in the above table for similar reasons be precluded from paying or returning a visit, he is to depute an officer not below the rank of Lieutenant RN/Captain/Flight Lieutenant to do so. In each case the officer failing to pay the required visit in person should report the circumstances and the reasons which led to the omission to the Ministry of Defence.*
2. *These visits need not be exchanged more than once during the respective tenure of office of The Queen's representative and the RN, Army or RAF Commander.*
3. *Return visits will be paid within 24 hours of the call being made.*

**9308. Exchange of Visits with Army and Royal Air Force Officers**

1. On the arrival of one or more of Her Majesty's ships at an overseas port in which British Army or RAF forces are quartered, visits are to be exchanged between the officers in command of such forces and the senior officer in command of the squadron or ship.
2. The junior officer is to pay the first visit to the senior officer but, when officers are of equivalent rank and the same seniority, the officer last arriving at the port is to pay the first visit.
3. Flag Officers and Commodores are to return in person the visits of Colonels, Group Captains and those of superior rank; they are to send a Captain or Commander to return the visits of Lieutenant-Colonels, Wing Commanders or other officers in command.
4. Captains and officers of lower rank in command of Her Majesty's ships are to return in person the visits of Lieutenant-Colonels, Wing Commanders, Majors and Squadron Leaders.

**9309. Order of Visits**

1. When an officer has to pay a series of visits to civil, naval, Army or RAF officers, no sequence or priority of such visits has been laid down, and they are to be arranged mutually to suit the convenience of the officials concerned.

**J.9310. Precedence in the Commonwealth**

1. Precedence in each independent member country of the Commonwealth is determined by that country and in the associated States by each State.
2. Precedence in dependent territories is determined by local enactments, by Royal Charters, by Instructions either under the Royal Sign Manual and Signet or through the Secretary of State, or by authoritative local usage.

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3. In the absence of any special authority Governors shall guide themselves by the following general table of precedence:

The Governor or Officer administering the government.

The officer in command of the naval forces in the area in which the territory is included if holding rank equivalent or superior to that of Rear-Admiral, the officer in command of the land forces in the territory if holding rank equivalent or superior to that of Major-General, and the officer in command of the air forces in the territory if holding rank equivalent or superior to that of Air Vice-Marshal, their own relative rank and precedence being determined by The Queen's Regulations on that subject (see 0381).

The Chief Justice.

The Speaker.

The officer in command of the naval forces in the area in which the territory is included if of the rank of Commodore, the officer in command of the land forces in the territory if of the rank of Brigadier, and the officer in command of the air forces in the territory if of the rank of Air Commodore, their own relative rank and precedence being determined by The Queen's Regulations on that subject (see **0381**).

The Deputy Governor (if any), the Chief Secretary; the Chief Minister (if any).

Other Ministers (if any), and other members of the Executive Council.

The officer in command of the naval forces in the area in which the territory is included if of the rank of Captain or Commander, the officer in command of the land forces in the territory if of the rank of Colonel or Lieutenant-Colonel, and the officer in command of the air forces in the territory if of the rank of Group Captain or Wing Commander, their own relative rank and precedence being determined by The Queen's Regulations on that subject (see **0381**).

The Puisne Judges.

The members of the Legislative Council.

The principal officers of government in such order as shall be especially assigned.

The officer in command of the naval forces on the station in which the territory is included if below the rank of Commander, the officer in command of the land forces in the territory if below the rank of Lieutenant-Colonel, and the officer in command of the air forces in the territory if below the rank of Wing Commander, their own relative rank and precedence being determined by The Queen's Regulations on that subject (see **0381**).

4. (*Navy only.*) When two or more territories are comprised within one naval, Army or RAF command:

a. The term 'officer in command of the naval forces in the area' (see Clause 3) shall include the senior officer of two or more of Her Majesty's ships, or the senior officer of a Task Force, Group, Unit or Element of Her Majesty's ships, present in the waters of the territory and belonging to the station in which the territory is included, and shall also include a resident naval officer at a naval base, who in the absence of the Commander-in-Chief of the station in which the territory is included is normally the senior officer at that base and is thus in command of any ships present.

b. The term 'land forces in the territory' shall include any permanent military force maintained by the Government in any territory where there are no regular troops, but shall not include voluntary or auxiliary forces and the term 'officer in command of the land forces in the Colony' shall include the Army officer holding the command in the Colony in the absence of the superior commanding officer.

c. The term 'officer in command of the RAF in the territory' shall include the RAF officer holding the command in the territory in the absence of the superior commanding officer.

5. (*Navy only.*) Any officer falling within the above definitions shall retain the precedence to which they are entitled under the preceding Regulations notwithstanding the presence in the territory of the superior officer of the whole naval, Army or RAF command. No naval, Army or RAF officers other than those included in the general table of precedence, as above defined, have any place at all in that table, and the places accorded therein to the senior officers of the three Services have no connection, except as between those officers, with the regulations governing the precedence of officers of Her Majesty's forces.

6. (*Navy only.*) Members of the Royal Family take precedence in a Colony next after the Governor.

7. (*Navy only.*) Except as provided in the following Clause, British subjects who enjoy in the United Kingdom precedence by right of birth or by dignity conferred by the Crown do not lose such precedence while either temporarily or permanently residing in any Colony.

8. (*Navy only.*) In the absence of special instructions from The Queen, and subject to any specific provisions in the authorised local tables, the precedence within a territory of all persons holding office or discharging official duties, whether naval, Army, RAF or civil, within that territory is determined solely by official rank, and the spouses of such persons, even though they enjoy precedence in the United Kingdom by right of birth, take their place according to the precedence of their partners.

9. (*Navy only.*) Persons entitled to official precedence in the United Kingdom, in foreign countries, or in any particular part of the Commonwealth, are not entitled as a right to the same precedence elsewhere. In the absence of any special instructions from The Queen, the precedence of such persons will be determined by the Governor.

### **J.9311. Precedence with Officers of the Consular Service**

1. An officer of the Consular Service will take precedence with Service officers as follows:

Consul-General with, but after, Rear-Admiral/Major-General/Air Vice-Marshal.  
Consul with, but after, Captain/Colonel/Group Captain.  
Vice-Consul with, but after, Lieutenant-Commander/Major/Squadron Leader.  
Consular Agent with, but after, Lieutenant/Captain/Flight Lieutenant.

### **J.9312. Order of March on Combined Service Parades**

1. The arrangements set out below will normally apply at combined parades. In order to meet the special purpose of any particular parade the arrangements may be varied, provided that they are agreed by the Flag, General and Air officers concerned, but not otherwise.
2. The definition of a combined parade is 'a number of separate units of more than one armed Service, paraded in combination for ceremonial purposes'.
3. Parades organized by and held in an establishment of one Service and attended by small detachments of other Services attached to that Service will be under the orders of the Commanding Officer of the establishment concerned.
4.
  - a. The order of precedence for the grouping of the Services in a combined parade is normally to be:  
  
Royal Navy  
Army  
Royal Air Force  
  
whether regular and/or auxiliary units, and irrespective of whether they are male or female units.
  - b. The precedence of units within a Service is for decision by that Service.
5. **Queen Alexandra's Royal Naval Nursing Service.** Members of the Queen Alexandra's Royal Naval Nursing Service are to form part of the naval contingent.
6. **Royal Marines.** The Royal Marines and Royal Marines Reserve should form part of the naval contingent whenever the Royal Navy or Royal Naval Auxiliary forces are also on parade. When no Royal Naval or Royal Naval Auxiliary forces contingents are on parade, Royal Marines and Royal Marines Reserve contingents should parade according to their Army order of precedence.
7. **The Honourable Artillery Company.** The traditional claim of the Honourable Artillery Company to lead all combined parades when regular or militia forces are not present is recognized.

8. **Pre-Service cadets.** Pre-Service cadets should march behind all the armed forces of the Crown in the following order:

- a. Sea Cadet Corps.
- b. Combined Cadet Forces.
- c. Army Cadet Forces.
- d. Air Training Corps.
- e. Within the Combined Cadet Force, contingents should march in an agreed order of school seniority, irrespective of the sections they maintain.

9. **Ancillary Services, i.e., Civil Organisations which are Integrated with the Armed Forces.** The Royal Observer Corps are to take precedence immediately behind pre-Service cadets. The order of precedence of all other ancillary services behind the armed forces is a matter for the department concerned and one over which the Ministry of Defence has no jurisdiction.

10. **Female Cadet Organisations.** The position on parades of female cadet organisations is not a matter for Service regulations.

### **9313. Ceremony at Colours and Sunset**

1. When the 'Alert' is sounded for the hoisting or hauling down of Colours, officers and ratings irrespective of whether in uniform or civilian attire are to stand to attention and salute as directed in **9231.5**.

2. When bands are ordered to play at the hoisting of Colours they are to play the British National Anthem. If warships of other countries are present, anthems are to be played in the following order:

- a. British National Anthem.
- b. National anthem of host country (when in foreign port).
- c. At the discretion of senior officer present (British or foreign), selection from other countries in company, taking into account the seniority of Flag Officers present. Selection to be varied from day to day.

3. When Her Majesty's ships are in company with ships of Commonwealth Republics' navies or the Royal Malaysian Navy, or visiting ports situated in Commonwealth Republican States, Malaysia, or Singapore, bands are to play the national anthem of the country concerned, immediately after the British National Anthem.

4. All members of the Colours/Sunset party are to wear their caps.

**9314. Parading of Guards at Colours**

1. The custom of parading a guard for the ceremony of Colours may be dispensed with at the discretion of Commanders-in-Chief and Flag Officers in independent commands except:

- a. On formal visits.
- b. When required for training purposes as directed by the senior officer.  
(See BRd 1834 Royal Navy *Ceremonial and Drill* Chapter 11)

**9315. Hours for Guards and Bands**

1. In harbour the following are the normal hours within which guards and bands are liable to be paraded. At other times they will not be required unless specially ordered beforehand, except as in Clause 2.

*Weekdays*

From Colours to 1200 (but not on Saturday) and from 1315 to sunset or 1800 (whichever is the earlier).

When a two-hour dinner period is in force, from 1400 to sunset or 1800 (whichever is the earlier).

*Sundays*

From Colours to 1200, except during Divine Service.

2. Guards and bands will however be required at any hour between morning and evening Colours (or 1800) on weekdays and 1200 on Sundays, unless otherwise ordered, when proceeding into or out of harbour, or when being passed by a ship or boat flying a Royal Standard or flag of a distinguished personage, or by a foreign warship.

3. In foreign ports, or in British ports when distinguished foreign visitors are received on board, guards may be paraded after 1800.

**J.9316. National Day of Remembrance**

1. Armistice Day originally commemorated the fallen of the 1914–18 War and included a two-minute silence in November each year on the anniversary of the day and time of cessation of hostilities in 1918. It subsequently included the dead of the 1939–45 War and now, as Remembrance Sunday, embraces all Service personnel and civilians who have laid down their lives in the service of their country, in the First World War and in all subsequent wars, campaigns and emergencies. It is now observed on the second Sunday in November each year, when the two-minute silence is to be observed at 1100 hours, during which time all personnel are to stand at attention and guards are to turn out and present arms. No aircraft, other than those on scheduled services, are normally to be in the air during the two-minute silence. (*Navy only see 9237*).

### 9317. The Loyal and Official Toasts

1. The health of Her Majesty The Queen should be honoured seated in all naval and Royal Marines officers' messes whether on board ship or on shore, except as provided in Clauses 5 and 6, even when the National Anthem is played.
2. Warrant Officers, RM senior NCOs, Chief Petty Officers and Petty Officers, when dining formally in their messes, both ashore and afloat, are also to remain seated when drinking the Loyal Toast.
3. Likewise when nationals of Commonwealth countries which are not Her Majesty's realms (see Clause 11), or officers serving in these armed forces, are present, the health of their Heads of State should be drunk seated. These toasts should be drunk immediately after The Queen's toast unless any of the Heads of State is present when the directions in Annex 93A will apply.
4. The formal meal is terminated by the Loyal Toast—or toasts as in Clause 3.
5. When The Queen, The Duke of Edinburgh, or any other member of the Royal Family is present, these toasts will be honoured standing unless Her Majesty, His Royal Highness or other member of the Royal Family has expressed a wish that officers should remain seated. The pleasure of the Royal personage concerned on the procedure to be adopted should be sought before the meal.
6. When foreign official guests are present and toasts to foreign Heads of State are included, they and that of The Queen should be drunk standing.
7. **Procedure when Guests other than British are Present.** When guests from Commonwealth countries which are not Her Majesty's realms (see Clause 11) or foreign nationals or officers serving in these armed forces are entertained officially on board HM ships or in naval establishments on occasions when it is customary for toasts to be exchanged, the procedure in Annex 93A is to be observed. This procedure should be arranged beforehand between the British officer who is host and his guests. The first toast should always be proposed in English but, when foreign visitors are being entertained, it should if possible also be repeated in French or the language of the visitors.
8. **Commonwealth and Foreign National Anthems**
  - a. National anthem(s) should be played as an accompaniment to a toast whenever a band is present except on those occasions when the number of countries represented renders this cumbersome and undesirable—i.e., when it is necessary for a collective toast to be in the form of 'Heads of State here present'.
  - b. When a Commonwealth or foreign national anthem is played in accompaniment to a toast, an abbreviated version should not be used unless it has been ascertained that this would be in accordance with the custom of the country concerned.
  - c. If two or more national anthems are played, they should be in the order in which countries are named in the collective toast.
  - d. It should be borne in mind that some of Her Majesty's realms (see Clause 11) have their own national anthem and not God Save the Queen.



## BRd 2

9. **Naval Messes.** Flag Officers', Commodores' Commanding, Commanding Officers' and wardroom messes in HM ships and Fleet establishments including the official residences of Commanders-in-Chief and other Flag Officers, Commodores flying their broad pennants and Commanding Officers of Fleet establishments, are regarded as naval messes for the purpose of this Article.

10. **Royal Marines Messes.** All Royal Marines officers' and senior NCOs' messes ashore and afloat, including the official residences of Major-Generals RM and Commanding Officers, are regarded as RM messes for the purpose of this Article.

11. **Independent Member Countries of the Commonwealth.** These can be divided into three categories:

### Her Majesty's Realms

	Jamaica
Antigua and Barbuda	Mauritius
Australia	New Zealand
The Bahamas	Papua New Guinea
Barbados	Saint Christopher and Nevis
Belize	Saint Lucia
Britain	Saint Vincent and the Grenadines
Canada	Solomon Islands
Fiji	Tuvalu (special member)
Grenada	

### Indigenous Monarchies

	Kiribati
Brunei	Malawi
Lesotho	Maldives
Malaysia	Malta
Swaziland	Nauru
Tonga	Nigeria
	Seychelles

### Republics

	Sierra Leone
Bangladesh	Singapore
Botswana	Sri Lanka
Cyprus	Tanzania
Dominica	Trinidad and Tobago
The Gambia	Uganda
Ghana	Vanuatu
Guyana	Western Samoa
India	Zambia
Kenya	Zimbabwe

**ANNEX 93A**

**PROCEDURE FOR LOYAL AND OFFICIAL TOASTS**

See table overleaf.

	Nationality of Guests	First Toast		Second Toast		Third Toast		Fourth Toast	
		Toast	Proposed by	Toast	Proposed by	Toast	Proposed by	Toast	Proposed by
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1	Nationals of, or officers serving in the armed forces of, a Commonwealth country which is not one of Her Majesty's realms (where no foreign guests are present)								
	a. If the Head of State of the country is present in person	Head of State of the country	Mess president	HM The Queen	Head of State of the country	-	-	-	-
	b. When the person at 1a is not	HM The	Mess	Person at	Mess	-	-	-	-
2	Foreign ( <i>one nation only represented</i> )								
	a. If Head of State visited is present in person (See Note i)	Head of State visited	Mess president	HM The Queen	Head of State visited	-	-	-	-
	b. When Head of State visited is not present in person	Head of State to which guests belong	Mess president	HM The Queen	Senior officer of foreign	-	-	-	-

	Nationality of Guests	First Toast		Second Toast		Third Toast		Fourth Toast	
		Toast	Proposed by	Toast	Proposed by	Toast	Proposed by	Toast	Proposed by
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
3	<p>Foreign (<i>more than one nation represented</i>)</p> <p>a. If Head of State visited is present in person (See Notes i and ii)</p> <p>b. In a foreign port when officers of the State visited are present</p>	<p>Head of State visited</p> <p>Collective toast to Heads of several States represented, naming the Head of State being visited first, and the remainder in the order of the rank and seniority of the <i>respective</i></p>	<p>Mess president</p> <p>Mess president</p>	<p>Collective toast to Heads of remaining States represented, named in the order of the rank and seniority of their respective representative officers present</p> <p>HM The Queen</p>	<p>Mess president</p> <p>Senior officer of foreign guests</p>	<p>HM The Queen</p> <p>-</p>	<p>Head of State visited</p> <p>-</p>	<p>-</p> <p>-</p>	

	Nationality of Guests	First Toast		Second Toast		Third Toast		Fourth Toast	
		Toast	Proposed by	Toast	Proposed by	Toast	Proposed by	Toast	Proposed by
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
3 cont	c. Otherwise than at <i>a</i> and <i>b</i>	Collective toast to Heads of the several States represented, in the order of the rank	Mess president	-	-	-	-	-	-
4	Nationals of, or officers serving in the armed forces of, a Commonwealth country which is not one of Her Majesty's realms, and foreign guests  a. Nationals of a Commonwealth country which is not one of Her Majesty's realms and guests from one foreign nation  (1) If the Head of State of the Commonwealth country is present in person  (2) If Head of State visited is present in person  (3) If person at 4 <i>a</i> (1), as well		Mess president	Head of State to which foreign guests belong  HM The Queen	Mess president	HM The Queen	Senior officer of foreign guests  Head of State visited	-  -  -	-  -  -

	Nationality of Guests	First Toast		Second Toast		Third Toast		Fourth Toast	
		Toast	Proposed by	Toast	Proposed by	Toast	Proposed by	Toast	Proposed by
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
4 cont	<p>b. Nationals of a Commonwealth country which is not one of Her Majesty's realms and guests from more than one foreign nation</p> <p>(1) If person at 4a(1) is present in person</p> <p>(2) If Head of State visited is present in person (See Note ii)</p>	<p>Person at 4a(1)</p> <p>Head of State visited</p>	<p>Mess president</p> <p>Mess president</p>	<p>Collective toast to Heads of several States represented naming the Head of State being visited first, and the remainder in the order of the rank and seniority of the respective representative officers present</p> <p>Collective toast to Heads of remaining foreign States represented in the order of the rank and seniority of their respective</p>	<p>Mess president</p> <p>Mess president</p>	<p>HM The Queen</p> <p>HM The Queen</p>	<p>Senior officer of foreign guests</p> <p>Head of State visited</p>	<p>-</p> <p>Person at 4a(1)</p>	<p>-</p> <p>Head of State visited</p>

	Nationality of Guests	First Toast		Second Toast		Third Toast		Fourth Toast	
		Toast	Proposed hv	Toast	Proposed hv	Toast	Proposed hv	Toast	Proposed
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
4 cont	(3) If person at 4a(1) is present in person (See Note ii)	Head of State visited	Mess president	Person at 4a(1)	Mess president	Collective toast to Heads of remaining foreign States represented named in the order of the rank and seniority of their respective representative officers present	Mess president	HM The Queen	Head of State visited
	(4) In a foreign port when officers of the State visited are present			As for 3b		Person at 4a(1)	Senior officer of foreign guests	-	-
Notes									
(i) The same procedure should be followed when a Head of State is present, in similar circumstances, otherwise than in a port of his own country.									
(ii) If more than one Head of State should be present, the mess president should propose a joint toast to the Heads of State present, naming first the Head of									

## CHAPTER 94

### GUN SALUTES

(MOD Sponsor: NAVY PEOPLE-TRG-HQ N9 EXEC FXO)

This chapter has been “equality and diversity impact assessed” by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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## CHAPTER 94

## GUN SALUTES

(MOD Sponsors: NAVY PEOPLE-TRG-HQ N9 EXEC FXO)

**9401. Governance**

1. Ministry of Defence PS12(A) hold the Tri Service lead for matters of State Ceremonial, State and Royal Funerals and Gun salutes. Navy Command shares ceremonial responsibilities amongst several vested interests; Regional Forces co-ordinate the majority of scheduled ceremonial events in the UK, Navy FGEN is point of contact for State and Royal funerals and the Fleet Executive Officer is the first point of contact for any ceremonial queries or occasions not covered by any other established protocol. Key points of contact are:

- a. PS12(A): ArmyPersOps-PS12-TriSvcCer-SO1
- b. FXO: Navy People-Trg-HQ N9 Exec FXO
- c. Navy FGEN: Navy FGEN-LitM SO1
- d. Regional Forces: Navy Pol-Regional Forces SO1  
Navy NRCEE-NLO

**9402. Ships Authorised to Salute**

1. **Saluting Ships.** The following ships are classified as 'saluting ships' when in commission:

- a. Aircraft Carriers.
- b. Landing Platforms Dock and Helicopter.
- c. All Destroyers and Frigates.

2. **Temporary Saluting Ships.** Other warships and ocean survey ships are to apply to Fleet Commander, Portsmouth to be designated 'temporary saluting ships' if it is considered that a specific visit merits a salute because of the high level of ceremonial expected and the Attaché or Defence Adviser recommends it, or for other important naval occasions.

3. **Land Based Saluting Stations.** Navy Command is responsible for the following land based 'Primary' saluting stations:

- a. Portsmouth – either from HM Naval Base Portsmouth (South Railway Jetty) or from Fort Blockhouse (Gosport).. In both cases, manning will be provided by HMS COLLINGWOOD.
- b. Plymouth – either HMS DRAKE firing from HM Naval Base Devonport, or 29 Commando Regiment Royal Artillery firing from The Royal Citadel

Plymouth salutes are to be co-ordinated between Naval Base Commander Devonport and Commanding Officer 29 Commando Regiment Royal Artillery. Navy Command has no 'Secondary' land based saluting stations. If there is a conflict, due to proximity between a RN and Army unit, the RN saluting station takes precedence.

4. **Fitting and Provision of Saluting Guns.** To maintain sufficient stocks of saluting guns and ammunition abroad to cope with ship's programme changes and unexpected ceremonial demands, ships listed in Clause 1 that are not permanently outfitted with saluting guns and ammunition are to carry guns and ammunition as required by Fleet Commander, Portsmouth.
5. **Standing NATO Maritime Groups 1 and 2.** The Standing NATO Maritime Groups are designated as non-saluting forces.

#### 9403. Salutes by Forts and Shore Batteries

1. Naval saluting batteries are to follow the saluting rules laid down for Her Majesty's ships. Salutes by forts and military shore batteries are governed by *The Queen's Regulations for the Army*, which are generally in accord with the naval rules; such salutes are the responsibility of the military authorities, with whom the senior naval officer should concert arrangements as necessary.
2. *The Queen's Regulations for the Army* direct that salutes from shore batteries are to be fired for Flag Officers and Commodores 'on landing for the first time, being in actual employment.

These salutes will not be repeated more than once in 12 months abroad, and three years at home, unless the officer shall have received an advance of rank'.

3. A list of saluting stations at Commonwealth and Foreign ports is published in Fleet Commander's Port Guides as appropriate.

#### 9404. General Regulations

1. **Authority.** No salutes are to be fired from HM ships without previous permission from the senior officer present, and the firing of salutes when ordered by these regulations is normally to be restricted to those ships which are authorised to salute (see).9402
2. **Interval.** The interval between successive guns of a salute is five seconds.
3. **River Thames.** Salutes are not to be fired from ships in the River Thames above Gravesend unless specially ordered.
4. **Salutes between HM ships and Forts or Batteries.** No salutes are to be exchanged between HM ships and forts or batteries.
5. **Salutes between HM ships and Flag Officers and Commodores.** As a rule, salutes between HM ships and Flag Officers and Commodores are only to be fired between morning and evening Colours; but a salute fired by a foreign ship of war outside this period is to be returned. In Commonwealth and foreign ports the custom of the country is to be followed.
6. **Sundays Salutes.** On Sundays salutes are not to be fired by ships in harbour, or arriving in harbour, between 1030 and 1300; but should this regulation cause a salute to a foreign flag or ship to be deferred, it is to be explained that the delay was on account of Divine Service.

## **BRd 2**

7. **Salutes at Sea.** At sea, the regulations for the interchange of salutes with foreign ships of war are to be observed without unreasonable delay.
8. **Inability to Fire.** If a ship which may reasonably be expected to do so is, for any reason, unable to fire or return a salute, the circumstances are to be explained at once.
9. **Flags Hoisted During Salutes.** Instructions about flags to be hoisted during salutes are given in **9144** to **9147**.

### **9405. Recognised Governments**

1. Salutes to foreign Royal personages and other foreign authorities and flags are authorised only in the case of a government recognised by Her Majesty.

### **9406. Salutes Not Authorised**

1. No salutes other than those authorised are to be fired except on the occasion of a great victory to Her Majesty's arms, or other important national event, when the Governor-General of a Commonwealth country, or other officer administering the government of any of Her Majesty's territories abroad, in conjunction with the senior naval officer present, may direct such salutes to be fired as the occasion may require; but unless the senior officers of the Navy and Army concur in the propriety of the proposed salutes, they are not to be fired by one Service only when both could have done honour to the occasion.
2. The firing of Salutes is a solemn and meaningful nationally endorsed occasion of ceremony. Requests to units to fire salutes in support of charity events or unofficial occasions outside of the regulations in this Chapter, no matter how well meaning, are to be politely but firmly declined.

### **9407. National Salutes**

1. The following regulations, in which the maritime powers generally have concurred, are to be observed for national salutes:
  - a. The Captain of a ship, or the senior officer of two or more ships, when visiting a foreign port where there is a fort or saluting battery or where a ship of the nation is lying, is to salute the national flag with 21 guns on each visit, on being satisfied that the salute will be returned; but by agreement with the local authorities the salute may be dispensed with when a ship returns to port after leaving temporarily.
  - b. During operational visits to foreign ports as defined in 9301, the customary firing of salutes should be carried out unless mutual arrangements are made to the contrary.
  - c. During formal and informal visits to NATO ports, the exchange of gun salutes will be in accordance with international custom. During routine visits no gun salutes will be fired.

d. On the occasion of a visit to a foreign port where there is no saluting battery and no ship of the nation is lying on arrival, and a ship of the nation arrives during the visit, a salute to the national flag is only to be fired after mutual agreement between the senior officers of the ships concerned.

e. A salute is not to be fired when passing through territorial waters with no intention of anchoring in them, or making fast in any way, even if a saluting station is passed, unless unusual circumstances make it desirable.

f. If the ship of a senior British officer is already present in the port, the junior officer is not to fire a salute.

g. Except when the salute to the National Flag is considered as a salute personal to the Standard as laid down in **9411.2** and 3, the salute to the National Flag is to be returned gun for gun. Should there be no fort or battery from which it can be returned, the senior naval officer present is to do so.

#### **9408. Royal Salutes**

1. All Royal Salutes referred to in this section consist of 21 guns.

2. A Royal Salute is to be fired from all HM ships present which are authorised to salute and from a fort or battery from which salutes are usually fired in honour of the following personages:

The Queen; The Duke of Edinburgh; any other member of the Royal Family; a foreign Crowned Head or Sovereign Prince, or his or her Consort; a Prince or Princess who is a member of a reigning foreign Royal Family; the President of a foreign Republican State. The Pope is to be regarded as a foreign Sovereign.

3. The salute is to be fired on the occasions stated hereunder (but see *also* **9410.3**):

a. On their arrival at and final departure from any place in the countries of the Commonwealth; but a Royal Salute is not fired when a ship flying a foreign Royal Standard or President's Flag passes a saluting battery but does not intend to berth in its vicinity.

b. On their going on board, and again on leaving, any of HM ships; but a Royal Salute will not be fired when a Royal personage, having hoisted his or her Standard in one of HM ships, leaves that ship temporarily, nor shall that ship take part in a Royal Salute fired by other ships while the Standard being saluted is hoisted in her, unless it is considered advisable to do so for some special reason. See **9140**, Dressing ship, and **9202**, Informal visits.

c. By HM ships on meeting, passing, or being passed by any ship flying a Standard or Flag denoting the presence of any of the above personages.

d. When any of HM ships arrives at or departs from a port or place where a Standard or Flag denoting the presence of the above persons is hoisted on shore. A salute is also to be fired when any of HM ships passes a port or place where the Royal Standard or the Standard of any other member of the British Royal Family is hoisted.

- e. For the Sovereign, on such other occasions as may be directed.
- 4. The presence of The Queen or members of the Royal Family is denoted by the Standards and Flags mentioned in **9101** to **9103**.
- 5. The presence of a foreign Royal personage is denoted by a Standard, and that of a President of a Republican State by the Flag of the President.

#### **9409. Visits of Foreign Heads of State**

- 1. When a foreign ship of war flying a Royal Standard or the Flag of a President of a foreign Republican State arrives at a British port, the Royal Salute ordered by **9408.3a** shall be fired by HM ships present which are authorised to salute and the fort or battery, after the salute to the National Flag has been fired by the visiting ship and returned by the shore battery.

#### **9410. Order of Royal Salutes**

- 1. Whenever any of HM ships which are authorised to salute meets, passes or is passed by any ship which is flying more than one Standard, or arrives at or leaves any port or place where more than one is flying, or when two or more Standards are broken simultaneously, she is to fire salutes in the following order, saluting the standards of:
  - a. The Queen and The Duke of Edinburgh.
  - b. The Sovereigns, Consorts, or Heirs-Apparent of foreign nations, or the Presidents of Republican States. The Pope is to be regarded as a Sovereign.
  - c. Other members of the British Royal Family.
  - d. Other members of reigning foreign Royal Families.
- 2. In these circumstances only one salute is to be fired for the Standards of any one country, no matter how many may be flying.
- 3. In the presence on shore or afloat of any Royal Standard, British or foreign, or of the Flag of the President of a Republic, no other authority of that nation is to be saluted by HM ships, but on the arrival of The Queen or a foreign Sovereign a salute is to be fired even though another Royal Standard of the same nation may already be flying. See **9411.3** on special rules in certain foreign ports.

#### **9411. Royal Salutes at Foreign Ports**

- 1. Whenever any of HM ships which are authorised to salute arrives at a foreign port at which salutes are returned (see **9407**) and when the Standard of any Royal personage, British or foreign, or the Flag of the President of a Republic is hoisted, the customary salute to the Flag of the nation to which the port belongs is in all cases to be fired first, the Standards or Presidents' Flags present being subsequently saluted in the order directed in **9410**.

2. When the Standard of any member of the Royal Family (or the Flag of the President of the Republic) of the country visited is hoisted in the port, the salute to the National Flag is to be considered as personal to that Standard or Flag as representing the nation, and in this case the salute will not be returned. In the event of this salute being returned, a further salute of 21 guns is to be fired.

3. Certain countries have regulations concerning the firing of salutes to, and in the presence of, the Royal Standard or Presidential Flag which differ from the rules in this section. When visiting foreign ports, therefore, Captains of HM ships should, if in any doubt, ascertain the local practice in this respect and act in accordance with it, except that in no circumstances should a Royal Salute of more than 21 guns be fired.

#### **9412. Royal Anniversaries**

1. In ports of the United Kingdom a Royal salute is to be fired at noon in celebration of the following:

- a. The Birthday of the Sovereign (21 April).
- b. The Accession of the Sovereign (6 February).
- c. The Coronation of the Sovereign (2 June).
- d. The Official Birthday of the Sovereign.
- e. The Birthday of The Duke of Edinburgh (10 June).
- f. The Birthday of His Royal Highness the Prince of Wales (14 November)

2. These salutes are to be fired on the actual date of the anniversary except that, when the anniversary falls on a Sunday, the salute is to be fired at noon on the following day. See also **9140**, Dressing ship.

3. The captain of a ship, or senior officer of two or more ships, is to ensure a Royal anniversary salute is carried out. However, in the United Kingdom Naval Base Ports it is the responsibility of the appropriate Naval Base Commander to ensure the Royal anniversary salute is conducted. In Her Majesty's Naval Base Devonport, the Naval Base Commander is to locally arrange and agree the firing of salutes with Commanding Officer 29 Commando Regiment Royal Artillery using the Saluting Stations at either HMS DRAKE or the Royal Citadel. Royal Salutes at Gibraltar are the responsibility of the Army firing from Devil's Cap Point or Europa Point unless otherwise ordered by Commander British Forces Gibraltar.

4. A Royal Salute is also to be fired at noon from HM ships which are authorised to salute on the day announced in the *Gazette* as the official birthday of Her Majesty:

- a. In ports in home waters other than Naval Bases, having made arrangements with local authorities.
- b. In Commonwealth ports, but when the official celebrations are held on a date other than that notified in the *Gazette*, the salute is to be fired on the date adopted for the official celebrations.

c. In foreign ports only if an official celebration in honour of Her Majesty is held on shore on this date.

5. A Royal Salute is also to be fired on the birthday of any member of the Royal Family whenever any of HM ships which are authorised to salute are present in a port at which a British Royal Standard is flying, or when escorting a ship flying a British Royal Standard at sea, or when lying in the immediate vicinity of a British Royal residence, but no such salute is to be fired without having obtained permission.

6. A Royal Salute is also to be fired when ordered and promulgated:

a. To mark occasions of Royal or national importance, as ordered.

b. On Royal arrivals at the request of the Defence Services secretary or the Formation Commander.

7. Contingency Planning. All Saluting Stations and deployed Saluting Ships are to be prepared to fire within 6 hours of notification from MoD PS12 of a short notice requirement to fire a gun salute. Saluting ships are to retain sufficient blank 3lb cartridges on board to satisfy the requirement for a gun salute; further details of the contingent requirement have been issued direct to Saluting Ships and Stations by NAVY DACOS FGen.

#### **9413. Royal Salutes not Returned**

1. No Royal Salutes, either to members of the Royal Family or to foreign Royal personages, members of foreign Royal Families and Presidents of foreign Republican States, will be returned, whether on arrival at or departure from a port, or when visiting ships of war.

#### **9414. Commonwealth and Foreign Festivals**

1. On the occasion of the celebration of:

a. important anniversaries and festivals in other countries of the Commonwealth;

b. the celebration of the birthday of the Sovereign or Consort of the Sovereign of a foreign nation;

c. important foreign national festivities and ceremonies;

HM ships which are authorised to salute may, when in company with ships of other Commonwealth countries or ships of a foreign nation, or in Commonwealth or foreign ports, fire such salutes, not exceeding **21** guns, as are fired by the ships or batteries of the country concerned. These salutes will not be returned. Ships visiting Commonwealth and foreign ports may seek guidance on national anniversaries and other festivals from the British Naval Adviser or Attaché in the country concerned.



#### **9415. Customary Salutes in Commonwealth Countries**

1. The Governor-General, Governor, or Officer administering the government of a Commonwealth country is authorised to continue to sanction such salutes as may be customary, and which they may deem right and proper, at religious ceremonies and, further, to cause the usual salutes to be fired at the opening and closing of the Houses of Parliament or Legislature. Such salutes will in no case exceed 19 guns.

#### **9416. British Authorities**

1. Salutes, other than Royal, are to be fired in honour of the personages, and on the occasions stated, as laid down in Annex 92A, but see **9410.3**.

2. When a diplomatic or Commonwealth personage or an Army or RAF officer, entitled to be saluted on embarking or disembarking, is going on board or leaving either a ship of war not authorised to salute or a merchant ship, the senior naval officer may direct the prescribed salute to be fired from any of HM ships present.

3. Salutes in conformity with Annex 92A are to be fired in compliment to foreign officials, in the same manner and in similar circumstances in which those to a British official would be fired (see *also* **9425**).

4. None of the salutes laid down in Annex 92A is to be returned except those to Flag Officers and Commodores as laid down in **9421**.

#### **9417. Limitation of Rank**

1. None of Her Majesty's officers under the rank of Commodore, Brigadier, or Air Commodore is to be saluted in any part of the world, but see Annex 92A for return salute to Captains of ships.

#### **9418. When Acting**

1. Naval, Army and RAF officers temporarily acting in any higher command and officers temporarily acting in any civil office are entitled, during their temporary tenure, to all the honours and salutes that may appertain to such command or office.

#### **9419. Salute in Higher Rank**

1. Such authorities mentioned in **9416** as may, from their rank and appointments, be entitled to be saluted in more than one capacity, are to be saluted under the rank which entitles them to the greatest number of guns, but on no occasion should the same individual be saluted in more than one capacity.

#### **9420. In Presence of Superior Authority**

1. Except in the case of a Royal Salute, no officer of the Royal Navy or a Commonwealth navy is to be saluted by ships of the Royal Navy in the presence of:

- a. a British Royal Standard (**9410.3**); or



## **BRd 2**

- b. the flag or broad pennant of an officer of the Royal Navy or a Commonwealth navy who is senior to themselves.
2. Local regulations should be followed in regard to saluting of Commonwealth navies in the presence of superior authorities of their own countries.
3. Similarly, no inferior Army or RAF authority is to be saluted in the presence of a superior Army or RAF authority respectively.
4. Similar provisions apply to foreign officers of the same nation, but not to personal salutes under **9425**.

### **9421. Salutes to Flag Officers and Commodores**

1. Subject to **9420.1**, the flag or broad pennant of the senior Flag Officer or Commodore present is to be saluted as follows:
  - a. By the next senior officer present:
    - (1) On being first hoisted in the same period of the former's new command.
    - (2) After the flag of the former's new rank has been hoisted on promotion.
  - b. By a single ship, or by the senior officer only of two or more ships of the same fleet or squadron, on meeting or on arrival, subject to Clause 2.
  - c. By a junior Flag Officer or Commodore:
    - (1) After such officer has hoisted a flag or broad pennant in the period of their new command.
    - (2) After hoisting the flag of their new rank on promotion.
2. No officer in command is to salute the same Flag Officer or Commodore more than once during their command, except in case of promotion. Similarly requests to salute are not normally to be made more than once.
3. These salutes are to be returned according to the scale (Annex 92A).

### **9422. Commonwealth Naval Officers**

1. Commonwealth naval officers should be accorded the same gun salutes as RN officers of equivalent rank and status.

### **9423. Foreign Flag Officers and Commodores**

1. **At Sea.** Subject to the provisions of **9421.2**, if one or more of HM ships which are authorised to salute meet at sea a foreign warship flying the flag of a Flag Officer or the broad pennant of a Commodore of superior rank to the senior officer in command of HM ship or ships, aforementioned, such senior officer is to salute the foreign Flag Officer or Commodore with the number of guns accorded to his rank by **9424**.

2. **In Port.** If the meeting takes place in port, the salute is not to be fired until the proper National Salutes (**9407**) have been interchanged, and then only if the local regulations admit thereof.
3. **Of Equal Rank, at Sea.** If ships flying the flags or broad pennants of officers of equal rank meet at sea, and their relative seniority in rank is unknown or in doubt, they should mutually salute without delay.
4. **Of Equal Rank, in Port.** Subject to the provisions of Clause 2, if ships flying the flags or broad pennants of officers of equal rank meet in port, the later arrival, irrespective of seniority, shall salute first.
5. **Differing Foreign Nations, in Port.** When ships of different foreign nations are making use of the same port, the following modifications to Clause 1 should be brought into force, subject to the concurrence of the senior Flag Officer or Commodore of each nation represented:
  - a. On the occasions stated in **9421.1a(1)** and (2), the flag or broad pennant of the senior Flag Officer or Commodore concerned should be saluted by the senior Flag Officers or Commodores of the other nations present who are junior to themselves.
  - b. Subject to the provisions of **9421.2** and on the occasions stated in **9421.1b**, the ship or senior officer of ships arriving or meeting should only salute the flag or broad pennant of the senior Flag Officer or Commodore of all the nations represented, provided that such Flag Officer or Commodore is senior to him or her and that an officer of his or her own nation and senior to him or her is not already in company with that foreign Flag Officer or Commodore; but if an officer of his or her own nation is already in company, the ship or senior officer of ships arriving should only salute his or her own senior officer, if so entitled by **9421**.  
  
If the senior officer of ships arriving are themselves senior to all the senior Flag Officers or Commodores of the other nations already in port, all the latter should, subject to the provisions of **9421.2**, salute him or her after the prescribed National Salutes have been interchanged.
  - c. On the occasions stated in **9421.1c(1)** and (2), a junior Flag Officer or Commodore should, unless otherwise ordered, fire the prescribed salute to the senior Flag Officer or Commodore of his or her own nation only. Should he or she be that officer, he or she should salute the flags or broad pennants of the senior Flag Officers or Commodores of the other nations who are present and senior to him or her, and will themselves be saluted by those junior to them in accordance with Clause 5a; he or she should inform the Flag Officers and Commodores who are to be saluted and at what time it will be done.
  - d. If any doubt should arise in the application of **9421.2** to the orders contained in this Article, the salute should be fired.

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6. **Salutes to Flags of British Flag Officers or Commodores.** Salutes to the flags or broad pennants of British Flag Officers and Commodores when met with at sea or in harbour are to be returned gun for gun.

### 9424. Scale for Foreign Flag Officers

1. The following scale, in which the maritime powers generally have concurred, is to be observed in reference to the interchange of salutes between HM ships and foreign ships of war which bear the flag of a Flag Officer or the broad pennant of a Commodore or a Captain commanding a squadron or division:

	Guns
Admiral of the Fleet or Flag Officer who ranks with a Field Marshal	19
Admiral	17
Vice-Admiral	15
Rear-Admiral	13
Commodore, or Captain commanding a squadron or division	11

2. A Vice-Admiral of the French Navy who is either Chief of the Naval Staff or Inspector-General of the Navy is to be regarded as an Admiral for saluting purposes. They will fly a square flag of the national colours with three blue stars in triangle on the white portion. A Rear-Admiral of the Italian Navy who is Admiral of Division is entitled to a Vice-Admiral's salute.

### 9425. Personal Salutes to Foreigners

1. If a foreigner of high distinction or a foreign officer should visit one of HM ships, they may be saluted on going on board or on leaving, with the number of guns which from their rank or status, they would received on visiting a ship of war of their own nation or with such number, not exceeding 19, as may be deemed proper; but should the number of guns to which they are entitled from a ship of their own nation be less than that given to an officer or official of their rank in the corresponding British service, they are to be saluted with the greater number. In case of doubt, Her Majesty's diplomatic or consular representative should be consulted, if practicable. Ecclesiastical authorities without diplomatic status are not entitled to gun salutes.

2. On the occasions of an official visit by a foreign Flag Officer or Commodore to one of HM ships, they may be saluted on going on board or leaving with the number of guns specific in **9424**. This is a personal salute and is distinct from the salute to flag provided for in **9423**.

3. The personal salutes referred to in this Article are not returned and are not subject to the limitations laid down in Annex 92A (column 10), but should a personal salute fired by one of HM ships, or by a ship of a third national, to a foreign officer be returned, it is to be regarded as an excess of courtesy which is to be reciprocated by returning any personal salute to a British officer fired immediately afterwards under similar conditions.

4. If it is known that it is the custom of a foreign nation to return personal salutes irrespective of the arrangements agreed with the maritime powers, and it is expected that a personal salute to an officer of that nation fired by one of HM ships will be returned, HM ships may take the initiative in returning personal salutes.

**9426. Return Salute to Merchant Ship**

1. If a British or foreign merchant ship, or any ship not a warship, salutes any of HM ships, the salute is to be returned with 5 guns to a single ship, and 7 guns to more than one sailing in company.

**CHAPTER 95****FUNERAL HONOURS**

*(MOD Sponsor: NAVY PEOPLE-TRG-HQ N9 EXEC FXO)*

This chapter has been “diversity and inclusion impact assessed” by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

**CONTENTS**

The content of this Chapter has been deleted.

The definitive Reference is:

JSP 751 (Joint Casualty and Compassionate Policy and Procedures)  
Part One Volume 2 (Management of the Deceased)

## CHAPTER 96

### SERVICE BANDS

#### (MOD Sponsor: OCGRM-RMBS SO2 Band)

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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**CHAPTER 96**

**SERVICE BANDS**

**SECTION I - GENERAL INSTRUCTIONS**

**J.9601. General**

1. These instructions apply to established and voluntary bands, pipes, trumpets and bugles, orchestras and dance bands of the Defence Services. They present the MOD policy regarding all musical commitments undertaken by Service personnel. These instructions are extracts and should be used for guidance. The full instructions can be found in JSP 813 - Instructions for Service Bands and Military Musicians.

2. These instructions may apply to displays and tattoos provided by Service musicians from time to time when reference will be made in the relevant mounting instructions.

**J.9602. Joint Service Instructions**

1. SO1 Ceremonial Policy and Plans is the branch of the MOD responsible for the co-ordination of the Joint Service instructions.

**9603–9610.** Unallocated

## SECTION II - DEFINITIONS

### J.9611. Service Musicians

1. A Service musician is defined as a member of the Regular or Reserved Armed Forces of any rank, or a civilian member of a Royal Naval Volunteer Band/Royal Air Force Voluntary Band who performs music in public in uniform, associated forms of dress or civilian clothes under the auspices of their unit or Service.

### J.9612. Unit

1. For the purpose of these instructions, a unit is:
  - a. **Royal Navy and Royal Marines.** A ship, or shore establishment, Commando Unit, or parts thereof.
  - b. **Army.** An element of a corps or regiment having a separate establishment, or part thereof.
  - c. **Royal Air Force.** A station or establishment, or part thereof.

**J.9613. Band.** The term 'band' is used to denote any musical combination listed in J.9601 above.

**9614–9620.** Unallocated



## SECTION III - MUSICAL COMMITMENTS

### J.9621. Restrictions

1. The following restrictions on musical commitments are to be observed:
  - a. **Political Organizations.** No Service musician may perform in either a corporate or an individual capacity at a meeting, demonstration or entertainment organized by or on behalf of a political party or an organization having partisan or controversial aims or at any event that may damage the reputation of HM Forces
  - b. **Trade Disputes.** Under no circumstances is any band to accept a musical commitment to replace a civilian band which is on strike or involved in a trade dispute, nor is a band to reduce its fee to displace another Service or civilian band.
  - c. **Performance in Plain Clothes.** Except as noted above, no restriction is placed on the acceptance of spare-time musical employment by individual members of a band, provided civilian clothes are worn and no special leave is granted for this purpose. Permission for RMBS personnel to undertake such performances is to be obtained from the appropriate authority in accordance with Queen's Regulations Royal Navy (QRRN), Para J8.403
  - d. **Title.** Individual Service musicians are not permitted to form or take part in an unofficial musical combination under a title which would indicate their connection with the Services, except on Service premises.
  - e. **Media.** Enquiries by, or on behalf of media companies (e.g. radio, television or printed publications) should be referred to the Single Service Tasking Authority (SSTA) in the first instance for clearance through the appropriate single Service Media & Comms.
  - f. **Entertainment Agencies.** Enquiries by, or on behalf of entertainment agencies are to be referred to the SSTAs.

### J.9622. Duty Nature of all Musical Commitments

1. Service musicians taking part in all musical commitments which have been entered into by an officer responsible for the administration of that band, are on duty throughout the period occupied by the rehearsals, the performance and by travel to and from the places of rehearsals and performance.

## J.9623. Financial Categories for Musical Commitments

1. There are five financial categories (FINCATs) of Musical Commitments:

FINCAT	1	Direct support to MOD
FINCAT	2	Charitable and Ex-Service/Regimental Association Events
FINCAT	3	Non-MOD sponsored Defence Influence Events at Home or Abroad
FINCAT	4	Other Government Departments (OGD) and Foreign Government Events
FINCAT	5	Commercial and Private Events at Home or Abroad

2. Sequential tasks at the same event should be initiated using a separate Request for Service Band Musical Support (RSBMS) Form and, for accounting purposes, be independently categorised. Bands or part thereof may undertake two separate FINCAT tasks sequentially at the same location (e.g. a ceremonial daytime parade (FINCAT 1) followed by a private unit function in the evening (FINCAT 5)). Where sequential events involve different FINCATs, separate contracts/IMU must be placed for each task.

## J.9624. FINCAT 1 – Direct Support to MOD

1. **Definition.** Performances for serving members of the MOD (RN, Army, RAF and/or Civil Service), which contribute to esprit de corps, the moral component of fighting power, training or recruiting events, or performances in support of directed Defence Influence activity where the MOD is the sponsor. These include:

- a. State/MOD engagements or functions sponsored directly by the MOD.
- b. Official Service parades or events endorsed by a Command, Formation or Unit Commander, on behalf of an affiliated/own-Service Unit, Establishment or Corps.
- c. Community Engagement (CE) tasks as outlined in Regional HQ single Service CE Annual Directives.
- d. **Official Entertainment.** SSTA will be guided on the extent to which public funds can be used by JSP 462, Chap 15 – Official Hospitality Policy. Reference should also be made to JSP 456 – Defence Catering Manual – Volume 2 (Catering Accounting Regulations) – Chapter 9 (Non Public Messing).
- e. **Military Funerals.** Support to the funerals of serving military personnel are categorised as FINCAT 1. Ex-Service personnel who meet the qualifying criteria<sup>1</sup> are entitled to a bugler, trumpeter or piper at public expense. All requests are subject to availability and must be approved by the SSTA.

2. **Charging.** All costs are met from MOD public funds. Refer to single Service chapters for single Service variations on meeting these costs. Unofficial Mess functions will not receive publicly funded musical support.

<sup>1</sup> Must have completed full pensionable service or have been awarded an operational service medal

## J.9625. FINCAT 2 – Charitable and Ex-Service/Regimental Association Events

1. **Definition.** Performances which, whilst promoting awareness of the Armed Forces, benefit Service/Non-Service Charities or Ex-Service/Regimental Associations. Whilst the MOD is keen to support military causes and Service charities, these events must be in concert with Service aims as well as MOD financial and corporate governance regulations.
2. **Abatement of Capitation Costs.** These tasks may be considered for abatement as follows:
  - a. **Ex-Service/Regimental Associations.** These organisations are presumed to be delivering a benefit to Defence. Therefore, when charging, the Department should make maximum use of the delegation from Treasury to abate charges on the grounds of public subsidy.
  - b. **Service and Ex-Service Charities.** Service and Ex-Service charities registered with the Charity Commission for England and Wales or the Scottish Charity Regulator and the Confederation of Service Charities are presumed to be delivering a benefit to Defence. Therefore, when charging, the Department should make maximum use of the delegation from Treasury to abate charges on the grounds of public subsidy. SSTA's should visit [www.gov.uk/government/organisations/charity-commission](http://www.gov.uk/government/organisations/charity-commission) or [www.oscr.org.uk](http://www.oscr.org.uk) to confirm the charity's registration with the Confederation of Service Charities ([www.cobseo.org.uk](http://www.cobseo.org.uk)) before agreeing the categorisation and allocation of the task.
  - c. **Other Charities.** Charities which do not have a Service/ex-Service connection may be considered for abatement of capitation costs. The % of abatement will be judged on the strength of the BC by the appropriate delegated authority (Civ Sec/Comd Sec/FMPA).

## J.9626. FINCAT 3 – Non-MOD sponsored Defence Influence Events at Home or Abroad

1. **Definition.** Non-MOD sponsored performances that contribute to the 1\* Commanders' CE Mission by promoting awareness of the Armed Forces and fostering positive relations in the local community. This FINCAT also covers MOD supported Tattoos authorised by PS12(A) as the tasking authority for these events.
2. **Overseas CE tasks.** For overseas CE tasks where Bands or part thereof are already deployed or stationed, authority for granting CE status rests with the Civ Sec/Comd Sec of the respective single Service in-theatre 1\* Commander<sup>1</sup>.
3. **Abatement of Capitation Costs.** These tasks may be considered for abatement.

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<sup>1</sup> Where the overseas Commander is below 1\* in rank, notification of such intent should be directed through the Service chain of command to MOD PS12(A) where appropriate.

## **J.9627. FINCAT 4 – Other Government Departments (OGD) and Foreign Government Events**

1. **Definition.** Performances that contribute to OGD missions by promoting awareness of the Armed Forces and fostering positive relations both nationally and internationally through support to foreign government events. To qualify, the OGD 2\* equivalent must be present.
2. **Charging and Abatement.** Full costs are to be met by the OGD or other foreign government sponsor. No costs should fall to MOD unless the task is in direct support of a Defence Diplomacy initiative, supported by the relevant International Policy and Planning (IPP)/NATO and European Policy (NEP) desk. In such cases, the relevant IPP/NEP desk will initiate a business case, to be cleared through PS12(A) and FMFA, for the decision of the relevant single Service Command Secretary. Once authorised, abatement will be reported and accounted for as a public subsidy in the usual way.
3. **Interdepartmental Memorandum of Understanding (IMU).** Contractual agreements between governmental departments are not permissible. A signed IMU must be agreed between the relevant IPP/NEP desk and the OGD/Foreign government. A template IMU is available from single Service Commercial Branches.

## **J.9628. FINCAT 5 – Commercial and Private Events at Home or Abroad**

1. **Definition.** Performances which generate profit for the sponsor. Performances at non-profit making events, where it is appropriate to charge costs in the interest of fair competition. Such performances fall outside of FINCATs 1 – 4.
2. **Charging.** Full cost charging applies in accordance with Wider Markets principles on Selling Government Services into Wider Markets.
3. **Abatement of Capitation Costs.** Tasks may be considered for abatement where there is benefit to Defence. The % of abatement will be judged on the strength of the BC by the appropriate delegated authority (Civ Sec/Comd Sec/FMFA). Where civilian competition exists, abatement must be no lower than Marginal Cost or MU rates, whichever is greater.
4. **Profit.** Where there is exceptional commercial benefit to the sponsor, financial authorities may apply a % profit margin to full costs. Guidance may also be sought from Service Commercial Branches.
5. **Overseas Events.** Requests for Service Band support overseas are to be forwarded to SO1 Ceremonial Policy and Plans either directly or via the SSTA. Normal market forces will apply for tasks outside the UK, however, Service Bands represent the MOD so care should be taken to assess the local musical competition to remain competitive.

## **J.9629. Contracts**

1. Appropriate contracts are drawn up by staff holding a Commercial Letter of Delegation (CLOD) for FINCATS 2, 3 and 5. Staff with a CLOD will have access to the necessary contract templates via the Commercial Branch. In the case of FINCAT 4, an IMU is required in place of a contract.

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2. Contract fees will be set at £100 for routine C1 (UK) contracts and £200 for routine overseas contracts prepared by CLOD holders. For more complex contracts a bespoke fee will be charged.
3. **Recording Contracts.** External recording contracts must be negotiated by NCHQ Commercial Branch.

### **J9630. Requests for Musical Support**

1. More detailed information on the regulation of the FINCATs and funding implications can be found in JSP813 – Instructions for Service Bands and Military Musicians.
2. Requests for RMBS support should be made to the SSTA in Office of the Commandant General Royal Marines (OCGRM) using a Request for Service Band Musical Support (RSBMS) Form available within JSP813 or via the SSTA (details below):

RMBS Commitments Coordinator  
OCGRM-RMBS  
Walcheren Building  
Whale Island  
PORTSMOUTH  
PO2 8ER

Email: [PHILIP.HOBBY122@MOD.GOV.UK](mailto:PHILIP.HOBBY122@MOD.GOV.UK) (NAVY OCGRM-RMBS ENG COORD)

Mil: 93832 7552/3  
Tel: 023 9254 7552/3

### **9631-9640. Unallocated**

## SECTION IV - MUSIC

### J.9641. Massed Bands

1. When bands are massed a lead Director of Music will be nominated and will be responsible for conducting and co-ordinating the programme of music to be played.
2. When on parade with bands of other services, the RM Band is to form as a complete unit. The Corps of Drums must always be at the front of the RM Band.
3. Correct RM drill movements are to be adhered to at all times.

### J.9642. Trumpet and Bugle Calls

1. Trumpet and bugle calls, which are to be adhered to without addition or alteration as regards either the sounding or the application, are to be found in:
  - a. The Royal Marines School of Music- Bugle Calls, Drum Salutes & Beatings
  - b. AC 14163, Trumpet and Bugle Calls for the Army
  - c. AP 162, Trumpet Calls

### J.9643. Controversial Music

1. While it is difficult to lay down the controversial connections that music may have, attention is drawn to the need for Commanding Officers and officers supervising bands to exercise discretion at all times to avoid offending the susceptibilities of any section of the community by the inclusion in programmes for public performances music to which exception might reasonably be taken.

### J.9644. Foreign National Anthems

1. All established bands are to consult the relevant authority (respective Embassy or Consulate) to establish the current version of the national anthem, prior to performance.
  - a. On foreign soil, that country's anthem is to be played first.
  - b. On board HM ships visiting foreign ports and British Embassies, the UK anthem is always to be played first.

### J.9645. The National Anthem

1. The national anthem is to be played and sung in the key of G major by all bands and choirs of the Defence Services. An official version is contained in the manual National Anthems, Salutes and Official Marches 1963.

## **BRd 2**

2. Except as provided for in Chapter 92, and in AC 13206, The Queen's Regulations for the Army, J8.039, J8.040 and J8.042b, Directors of Music and Bandmasters have discretion to play the National Anthem or the appropriate part of it, either at the beginning or the end of an engagement.

3. If the organizers of a non-military sporting fixture request a military band to play a national anthem (other than God Save The Queen) or song, the officer administering the band, Director of Music or Bandmaster, may agree provided that:

a. The event is a recognized international fixture in which a team from the home country concerned is participating.

b. The anthem or song is not played in place of God Save The Queen, which must always be played. When the anthems of the competing teams are played sequentially (as is normal immediately prior to the commencement of a match) God Save The Queen should normally be played last. However, if there are well established precedents to the contrary (for example, at international rugby matches where Wales is the home team it is customary for Land of my Fathers to be played last), discretion is given to vary the order.

### **J9646. The Loyal Toast**

1. When Loyal Toasts are drunk, the National Anthem is to be played as follows:

a. First verse of the National Anthem

(1) When the Loyal Toast is drunk to The Sovereign.

(2) When the second Loyal Toast is drunk to His Royal Highness The Prince Philip, Duke of Edinburgh, when he is present.

b. First 6 bars of the National Anthem

(1) On all other occasions.

## CHAPTER 97

### THE ROYAL MARINES BAND SERVICE AND VOLUNTEER BANDS

(MOD Sponsor: OCGRM-RMBS SO2 Band)

This chapter has been equality and diversity impact assessed by the sponsor in accordance with Departmental policy. No direct discrimination or adverse impact was identified. This chapter is due for review at the next routine amendment exercise.

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- J.9762. Standards of Volunteer Bands



## CHAPTER 97

## THE ROYAL MARINES BAND SERVICE AND VOLUNTEER BANDS

## SECTION I - COMMAND AND CONTROL

**J.9701. Allocation of Royal Marines Bands**

- a. Royal Marines Bands will be allocated to RN and RM ships and establishments by the Fleet Commander. Commandant General Royal Marines (CGRM) is the 2\* Higher Authority with Principal Director of Music Royal Marines (PDM) as the Commanding Officer for all 5 RM Bands (listed in Para J.9703) with each individual RM Band falling under the sub-unit command of the respective Director of Music (DoM)
- b. Assignment of RM Band personnel is the responsibility of Corps Drafting Officer who in liaison with SO2 Band will ensure that the correct musical combination of players and rank structure is maintained in all RM Bands.

**J.9702. Command of Royal Marines Bands in the Royal Navy**

- a. The Fleet Commander exercises full command and control of the RMBS through the CGRM who, in turn, exercises full command and control of the RMBS through the Deputy Commandant General Royal Marines (DCGRM).
- b. Royal Marines Bands not commanded by Directors of Music, in HM ships and establishments where an RM detachment is borne, will come directly under the command of the RM Officer Commanding of the detachment. Where no RM officer is borne, the Band will come under the command of an RN officer appointed by the Captain to be Officer Commanding Royal Marines.
- c. In HM ships and RN establishments where only a Director of Music is borne, they will be Officer Commanding Royal Marines.
- d. The Director of Music of the Royal Marines Band, or Bandmaster where no officer is borne, is responsible for the training and musical efficiency of the Band.
- e. All RM Bands are lodger units within their respective locations.

**J.9703. Titles of Bands**

1. The correct titles for Royal Marines Bands are given below and should always be used when referring to individual Bands.

Full Band Title	Shortened Title
The Band of HM Royal Marines Portsmouth (Royal Band)	RM Band Portsmouth
The Band of HM Royal Marines Plymouth	RM Band Plymouth
The Band of HM Royal Marines Scotland	RM Band Scotland
The Band of HM Royal Marines Commando Training Centre Royal Marines	RM Band CTCRM
The Band of HM Royal Marines Collingwood	RM Band Collingwood

## **J.9704. Allocation and Co-ordination of Musical Commitments**

1. The Single Service Tasking Authority (SSTA), as part of the Office of the Commandant General Royal Marines (OCGRM), is responsible for the allocation and co-ordination of all musical and operational commitments tasked to Royal Marines Bands. All requests for musical support should be submitted to the SSTA via the Request for Service Band Musical Support (RSBMS) Form found in JSP813. Contact details are at Para J.9741.

## **J.9705. Roles of the Royal Marines Band Service**

a. The Royal Marines Band Service (RMBS) provides the 5 State Bands of the Royal Navy and supports the Service by delivering dedicated musical support of the highest professional standard. All RM Bands are to provide a marching band, concert band, orchestra, big band, function band, corps of drums and small ensembles to meet all musical commitments tasked by the SSTA. These include:

- (1) State and Royal occasions.
- (2) Major national and Service ceremonial and pageantry.
- (3) Command, ship and establishment ceremonial and social events.
- (4) Events of significant public relations or recruiting value.
- (5) Events of a charitable, commercial or private nature when other duties permit.

b. The RMBS is mandated to provide 2 Bands of 54 personnel at very high readiness (R2); one RM Band to deliver casualty handling roles for Primary Casualty receiving Facility in RFA ARGUS and one RM Band to deliver Casualty Decontamination Capability with 3 CDO X as directed in the Lead Commando Group Force Generation Plan. 2 further RM Bands are to be maintained at R4 to deliver the aforementioned operational capabilities in a 12-month Force Generation cycle.

c. Apart from the tasks articulated above, RM Musicians and Buglers are not to be employed on other duties with the exception of:

- (1) Normal cleaning of their mess decks or living accommodation.
- (2) Cleaning the space used for instrument storage and the music library.
- (3) A share with other users of the cleaning of the space regularly used for band practice.
- (4) A share in the cleaning of spaces manned by ranks in action and defence/cruising states when afloat.

## **J.9706–9710. Unallocated**

## **SECTION II - ADMINISTRATION**

### **J.9711. Security at Public Military Events**

1. Bands remain an attractive target to terrorists and it is therefore imperative that all Directors of Music, Bandmasters and RMBS personnel take a sustained and energetic interest in the security of Bands at all times.
2. All units and sponsors of band concerts and displays, etc, whether staged on or off MOD property, and whether open or closed to the public, are required to take special precautions against terrorist attack and other acts of public disorder to ensure the safety of all personnel and the protection of property.
3. Instructions issued by the MOD and by Commands/District Headquarters in UK and overseas require units to give advance notice of band events to the appropriate headquarters as these events are to have the prior knowledge and approval of the civil police.
4. Specific instructions for security at military events in Great Britain are laid down in JSP440 Part 7, Chapter 6 and also current DINs.

### **J.9712. Inspections of Royal Marines Bands**

1. Biennial Inspections of Royal Marines Bands form part of the periodic inspections of ships and establishments. The inspecting team will consist of personnel from HQBSRM and OCGRM.
2. Arrangements for the inspections of Royal Marines Bands are made by HQBSRM and OCGRM with respective Bands. Host unit Commanding Officers should be advised as a courtesy.
3. The inspection report is to be rendered to DCGRM and the Band concerned.

### **J.9713–9720. Unallocated**

## SECTION III - CEREMONIAL

### J.9721. Advance in Review Order

1. By tradition 'The British Grenadiers' is played for the Army and RM and 'Nancy Lee' for the RN, but any quick march for a duration of fifteen paces may be played.

### J.9722. Massed Bands

1. When on parade with bands of other services, the RM Band is to form as a complete unit. There is to be no intermingling of ranks with other bands and the Corps of Drums must always be at the front.

2. Correct RM drill movements are to be adhered to at all times.

### J.9723. General Salute

1. When a General Salute is given with a Band and Corps of Drums on parade, the first eight bars of a slow march are to be played at a slightly quicker tempo than that of a slow march (see J.9205).

### J.9724. Service Mourning

1. Bands may play for marching troops on, or to, a parade but incidental music should not be played during inspections or other pauses in the parade. Bands may also continue to fulfil any civilian sponsored commitments for which they have previously contracted to play but should not play at Service functions of a social nature.

2. Drums and Colours are to be draped only at a funeral or drumhead service, except that, on other occasions connected with the death of The Sovereign or a member of the Royal Family draping may also be ordered. Detailed instructions for funeral drill are contained in BR 2118, Royal Marines Drill.

### J.9725–9730. Unallocated

## SECTION IV - BAND INSTRUMENTS AND EQUIPMENT

### J.9731. General Responsibility

1. The Director of Music or Warrant Officer in charge of a Band is responsible for the maintenance and security of the musical stores and equipment supplied to it.
2. Individuals are responsible for the safe custody and cleanliness of the musical instruments issued personally to them for their use. By monthly examination, the Director of Music or designated NCO is to ensure that these instruments are maintained in good condition.

### J.9732. Supply and Storage of Instruments

1. Arrangements for the supply and repair of musical instruments, appurtenances, accessories and music for RM Bands are made by the Supply Officer Band, based in HMS NELSON.
2. Adequate space is to be provided for the storage and safe custody of such items in all ships and establishments bearing a RM Band, or RN Volunteer Band.

### J.9733. Loss or Damage

1. Should any instrument or equipment, or any part of it, be lost, damaged or rendered unserviceable in circumstances that warrant the cost of replacement or repair being borne from public funds, the Director of Music or NCO in charge of the Band is to contact the Supply Officer Band who will take the necessary action in accordance with the Defence Logistics Framework.
2. When the loss or damage is held to be on account of the neglect of any person, action is to be taken using the Defence Logistics Framework.

### J.9734. Infected Instruments

1. Any musical instrument known to have been used by any person suffering from an infectious disease is to be disinfected, sterilized by radiation, or destroyed if destruction is specifically recommended by the Medical Officer and Commanding Officer. The SO1 Band must be informed of the recommendation for write-off.

### J.9735–9740. Unallocated

## SECTION V – REQUESTS FOR MUSICAL SUPPORT

### J.9741. Financial Categories and Requests for Musical Support

1. The 5 Financial Categories (FINCATs) for Service Band commitments can be found in Chapter 96 of this BR.
2. More detailed information on the regulation of the FINCATs and funding implications can be found in JSP813 – Instructions for Service Bands and Military Musicians.
3. Requests for RMBS support should be made to the SSTA in OCGRM using a Request for Service Band Musical Support (RSBMS) Form available within JSP813 or via the SSTA.

#### Contact details for the SSTA are:

RMBS Commitments Coordinator  
OCGRM-RMBS  
Walcheren Building  
Whale Island  
PORTSMOUTH  
PO2 8ER

Email: [PHILIP.HOBBY122@MOD.GOV.UK](mailto:PHILIP.HOBBY122@MOD.GOV.UK) (NAVY OCGRM-RMBS ENG COORD)

Mil: 93832 7552/3  
Tel: 023 9254 7552/3

### J.9742–9760. Unallocated

## **SECTION VI – RN VOLUNTEER BANDS**

### **J.9761. The Royal Naval Volunteer Band Association**

1. Royal Naval voluntary music incorporates military bands (woodwind, brass and percussion) which are brought together and represented by the Royal Naval Volunteer Band Association (RNVBA). Irrespective of musical discipline, Royal Naval Volunteer Bands (RNVBs) have a strong profile and remain important to the life, routine and ethos of the Service, contributing value-for-money assets to the RN's Engagement Strategy, overall musical mix and wider ceremonial output, providing musical support to the Naval Service in direct support to, or in lieu of, Royal Marines Bands. RNVBs are organised on a regional/unit basis and, over and above fostering a practical interest in music, their primary role is to provide musical support at a local level for all Units in the region/area. As a secondary role RNVBs are also an intrinsic part of their local Unit Engagement Strategy and the wider RN Engagement Strategy at a national level where it is not possible, or appropriate, to task an established Royal Marines Band. All RNVBs are Defence Engagement assets and are governed by these JS Regulations. Whilst carrying out official commitments and associated rehearsals with the RNVB, all RNVB members fall within the definition of Service Musicians (SMs) as detailed in Chapter 1 of JSP813. Neither RNVBs nor their SMs have an operational role, except that associated with the primary duties of the individual, serving members. Save for bona fide authorised 'out-of-pocket' expenses, RNVB SMs are not to receive any financial remuneration in association with their activities as a SM.

2. Full instructions for the RNVBA are given in JSP813 - Instructions for Service Bands and Military Musicians, Chapter 8.

### **J.9762. Standards of Royal Naval Volunteer Bands**

1. Notwithstanding the voluntary nature of the RNVBs, the musical ability, standards of dress and deportment expected of the RNVBs is to be of the highest standard in line with Service ethos. The official capability or 'fit for role' inspection is carried out at the annual RNVBA Festival by the President of the RNVBA and PDM RM. Bands are inspected in a public festival consisting of a marching display and entertainment concert programme. Due to the official nature of this inspection, the event is to be classed as a FINCAT 1 commitment.