



liability to imprisonment for up to 2 years for conduct or neglect to the prejudice of good order and Naval Discipline (NDA Section 39). The union will find this difficult to accept. It is recommended that P&O be told that the Ministry of Defence is reluctant to give such an assurance, but that if it is necessary to secure Union cooperation they may give the Union an assurance that the Ministry does not foresee this as an immediate necessity and will avoid making such an authorisation. The effect will be that crews will be subject to the normal disciplinary powers of the Masters of the Ships. naval personnel will of course remain subject to the NDA.

#### Active Service

5. This exists automatically when a force is engaged on operations against an enemy. The Commander in Chief or Flag Officer Commanding can also declare it to exist because of the imminence of operations against an enemy, but the consent of the Secretary of State for Defence is required for this declaration; the declaration of Active Service has not yet been sought. The relevant effect is that civilians accompanying the Task Force will become subject to the whole of the Naval Discipline Act. It is recommended, that if the Union raise this point they should be told by P&O that in the very nature of the case Active Service cannot be excluded, but that it will not be declared (if at all) until it appears to both the Flag Officer Commanding and the Secretary of State that it is absolutely necessary.

#### Involvement in Operations

6. On the question of the crews' involvement in operations it is proposed that P&O advise the Union of the intended task of each ship as stated in paragraph 2 above, emphasising that it is not, at present, the MOD's intention to place either ship in a hostile environment when there is a high risk to the safety of either ship or crew.

#### Recommendation

7. I should be grateful to learn that Secretary of State is content for the above information to be passed to the Seaman's Union at the P&O meeting at 1030. P&O management require guidance by 0830.

*P. H. Tipple*

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