

58. Signing in blank and failure to report. —Any person subject to this Act who commits any of the following offences, that is to say, '—

(a) when signing any document relating to pay, arms, ammunition, equipment, clothing, supplies or stores, or any property of the Government fraudulently leaves in blank any material part for which his signature is a voucher; or

(b) refuses or by culpable neglect omits to make or send a report or return which it is his duty to make or send; shall, on conviction by court-martial be liable to suffer imprisonment for a term which may extend to seven years or such less punishment as is in this Act mentioned.

NOTES

1. An offence under this section should not be dealt with summarily under [AA.ss.80,83](#) or [84](#).

2. Clause (b). —In a charge under clause (b), the particulars must show that it was the duty of the accused to make or send the report or return, but where the position (appointment etc.,) of the accused is proved the court may use their military knowledge to infer his duty. If the report or return was one for which the superior officer had no right to call, it is not an offence to refuse to make or send it.

3. The report must be in writing; clause (b) does not relate to a verbal report. The neglect must be culpable, i.e., something more than mere forgetfulness or mistake; see [note 3 to AA.s.63](#).