



Reserve Forces Act 1980

1980 CHAPTER 9

PART IV

ARMY RESERVE AND AIR FORCE RESERVE

Army Reserve

^{F1}62

Textual Amendments

^{F1} S. 62 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

63 **Exercise of powers vested in military office holder.**

- (1) Any power or jurisdiction given to, and any act or thing to be done by, to, or before, any person holding any military office may, in relation to the Army Reserve, be exercised by or done by, to, or before any other person for the time being authorised in that behalf according to the custom of the service.
- (2) Where by this Act, or by any order or regulation under this Act, any order is authorised to be made by any military authority, the order may be signified by an order, instruction or letter under the hand of any officer authorised to issue orders on behalf of that military authority, and an order, instruction or letter purporting to be signed by any officer who appears from it to be so authorised shall be evidence of his being so authorised.

^{F2}64

Status: Point in time view as at 01/04/1997.

Changes to legislation: Reserve Forces Act 1980, Part IV is up to date with all changes known to be in force on or before 23 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

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Textual Amendments
F2 S. 64 repealed (1.4.1997) by 1996 c. 14, s. 131(2), Sch. 11 (with s. 72(5)); S.I. 1997/305, art. 2

F3 65

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Textual Amendments
F3 S. 65 repealed (1.4.1997) by 1996 c. 14, s. 131(2), Sch. 11 (with s. 72(5)); S.I. 1997/305, art. 2

Air Force Reserve

F4 66

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Textual Amendments
F4 S. 66 repealed (1.4.1997) by 1996 c. 14, s. 131(2), Sch. 11 (with s. 72(5)); S.I. 1997/305, art. 2

67 Exercise of powers vested in air force officer holder.

- (1) Any power or jurisdiction given to, and any act or thing to be done by, to, or before, any person holding any air force office may, in relation to the Air Force Reserve, be exercised by or done by, to, or before any other person for the time being authorised in that behalf according to the custom of the service.
- (2) Where by this Act, or by any order or regulation under this Act, any order is authorised to be made by any air force authority, the order may be signified by an order, instruction or letter under the hand of any officer authorised to issue orders on behalf of that air force authority, and an order, instruction or letter purporting to be signed by any officer who appears from it to be so authorised shall be evidence of his being so authorised.

F5 68

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Textual Amendments
F5 S. 68 repealed (1.4.1997) by 1996 c. 14, s. 131(2), Sch. 11 (with s. 72(5)); S.I. 1997/305, art. 2

69 Special reservist called out for permanent service.

- (1) The Secretary of State may, by regulations under this Act, authorise any special reservist having the qualifications prescribed by those regulations to agree in writing that—
 - (a) if the time at which he would otherwise be entitled to be discharged from the Air Force Reserve occurs when he is called out for permanent service, then

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- (b) he will continue to serve in the Air Force Reserve until the expiry of such period, whether definite or indefinite, as may be specified in the agreement,
- (2) If any man who enters into such an agreement is called out for permanent service, he shall be liable to be detained in service for the period specified in his agreement in the same manner in all respects as if his term of service were still unexpired.

70 Special reservist called out for special courses, etc.

- (1) A special reservist may, in addition to being called out for annual training, be called out for a special course or special courses of training—
 - (a) at such place or places in the United Kingdom or the Isle of Man,
 - (b) at such time or times, and
 - (c) for such period or periods, not exceeding in the whole 6 months,as may be prescribed, in like manner and subject to the like conditions as if he were called out for annual training.
- (2) Where one of the conditions on which a special reservist was enlisted or re-engaged is that he shall not be called out for training, whether special or annual, for a longer period than the period specified in his attestation paper, he shall not be liable under this section to be called out for any longer period.

Enlistment in Army Reserve and Air Force Reserve

F671

Textual Amendments

F6 S. 71 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

F772 .
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Textual Amendments

F7 S. 72 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

Offences

F873

Textual Amendments

F8 S. 73 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

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F⁹74

Textual Amendments

F9 S. 74 repealed (1.4.1997) by 1996 c. 14, s. 131(2), Sch. 11 (with s. 72(5)); S.I. 1997/305, art. 2

F¹⁰75

Textual Amendments

F10 S. 75 repealed (1.4.1997) by 1996 c. 14, s. 131(2), Sch. 11 (with s. 72(5)); S.I. 1997/305, art. 2

F¹¹76

Textual Amendments

F11 S. 76 repealed (1.4.1997) by 1996 c. 14, s. 131(2), Sch. 11 (with s. 72(5)); S.I. 1997/305, art. 2

F¹²77

Textual Amendments

F12 S. 77 repealed (1.4.1997) by 1996 c. 14, s. 131(2), Sch. 11 (with s. 72(5)); S.I. 1997/305, art. 2

F¹³78 .
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Textual Amendments

F13 S. 78 repealed (1.4.1997) by 1996 c. 14, s. 131(2), Sch. 11 (with s. 72(5)); S.I. 1997/305, art. 2

F¹⁴79

Textual Amendments

F14 S. 79 repealed (1.4.1997) by 1996 c. 14, s. 131(2), Sch. 11 (with s. 72(5)); S.I. 1997/305, art. 2

F¹⁵80

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Textual Amendments

F15 S. 80 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

^{F16}**81**

Textual Amendments

F16 S. 81 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

Miscellaneous

^{F17}**82**

Textual Amendments

F17 S. 82 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

[^{F18}**83** **Postponement of discharge or transfer to reserve.**

[In the application to a man to whom this subsection applies of section 9 of the Army ^{F19}(1) Act 1955, or section 9 of the Air Force Act 1955 (which in either case provides, among other things, for postponement of discharge or transfer to the reserve where men of the reserve are called out for permanent service)—

- (a) the amendments made by paragraphs 2 and 5 of Schedule 7 to the Reserve Forces Act 1996 shall not apply;
- (b) the references to men of the reserve being called out for permanent service shall (notwithstanding anything in section 225(2) of the Army Act 1955 or section 223(2) of the Air Force Act 1955) include references to such men being called out under section 11 above or paragraph 16 of Schedule 8 to this Act.]

(2) Subsection (1) above applies to a man of the regular army, the Army Reserve, the regular air force or the Air Force Reserve who—

- (a) is such a man in consequence of his having enlisted or re-engaged in one of those forces on or after 1st April 1967; or
- (b) has elected irrevocably in the prescribed manner that subsection (1) shall apply to him.

^{F18}(3)

Textual Amendments

F18 S. 83 repealed (1.4.1997 except so far as relating to s. 83(1)(2) the repeal of which is still *prosp.*) by 1996 c. 14, ss. 131(2), 132(4), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

F19 S. 83(1) substituted (1.4.1997) by S.I. 1997/306, **reg. 23**

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F20 **84**

Textual Amendments
F20 S. 84 repealed (1.4.1997) by 1996 c. 14, s. 131(2), Sch. 11 (with s. 72(5)); S.I. 1997/305, art. 2

F21 **85**

Textual Amendments
F21 S. 85 repealed (1.4.1997) by 1996 c. 14, s. 131(2), Sch. 11 (with s. 72(5)); S.I. 1997/305, art. 2

F22 **86**

Textual Amendments
F22 S. 86 repealed (1.4.1997) by 1996 c. 14, s. 131(2), Sch. 11 (with s. 72(5)); S.I. 1997/305, art. 2

87 Interpretation of Part IV.

In this Part of this Act, except where the context otherwise requires—
“absence without leave” and “desertion” mean respectively absence without leave contrary to subsection (1) or (3) of section 73 above and desertion contrary to subsection (1) of that section, and “absentee without leave” and “deserter” shall be construed accordingly;
“airman” includes a warrant officer and a non-commissioned officer;
“soldier” includes a warrant officer and a non-commissioned officer; and
“special reservist” means a man of the Air Force Reserve who is serving in that reserve as a special reservist pursuant to section 68 above.

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