



# Reserve Forces Act 1980

## 1980 CHAPTER 9

### PART II

#### CALL OUT AND RECALL

##### *Recall of service pensioners and former soldiers*

#### **[<sup>F1</sup>34 Liability of certain former soldiers to recall.**

- (1) Any former soldier to whom this section applies may be recalled for service by the Secretary of State by [<sup>F2</sup>notice under section 35 below] at any time when men of the [<sup>F3</sup>Regular Reserve] are called out for permanent service under [<sup>F4</sup>a call-out order under section 52 of the Reserve Forces Act 1996].
- (2) This section applies to any person who is not a woman and who is for the time being under the age of 45, and—
  - (a) who is not—
    - (i) a member of the armed forces of the Crown apart from this section;
    - (ii) liable to be recalled to service under section 31 above;
    - (iii) such a person as is mentioned in Schedule 2 to this Act;
  - (b) who enlisted in pursuance of regulations made under section 2 of the <sup>M1</sup>Armed Forces Act 1966;
  - (c) who has not been discharged in respect of that enlistment under section 14 of the <sup>M2</sup>Army Act 1955, or under any regulations made by virtue of section 2 of the Armed Forces Act 1966 conferring a right to discharge by purchase;
  - (d) who has not been granted a commission.
- (3) A person recalled for service by such a notice as is referred to in subsection (1) shall be deemed to be enlisted in the [<sup>F5</sup>regular forces within the meaning of the Army Act 1955][<sup>F5</sup>regular army] for the period—
  - (a) beginning with the time [<sup>F6</sup>specified in the notice][<sup>F6</sup>he is accepted into service], and

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**Changes to legislation:** Reserve Forces Act 1980, Section 34 is up to date with all changes known to be in force on or before 20 October 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) View outstanding changes

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[ ending (unless he is previously discharged) with the date on which there is  
<sup>F7</sup>(b) no longer a call-out order under section 52 of the Reserve Forces Act 1996  
in force.]

<sup>F1</sup>(4) .....

<sup>F1</sup>(5) .....

<sup>F1</sup>(6) .....]

#### Textual Amendments

- F1** S. 34 repealed (1.4.1997 except for s. 34(1)-(3) the repeal of which is still *prosp.*) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**
- F2** Words in S. 34(1) substituted (1.4.1997) by S.I. 1997/306, **art. 17(2)(a)**
- F3** Words in Act substituted (1.10.2014) by Defence Reform Act 2014 (c. 20), **s. 44(3)(a)(4)50(1)** (with s. 49(3)(5)); S.I. 2014/2370, **art. 4(a)**
- F4** Words in S. 34(1) substituted (1.4.1997) by S.I. 1997/306, **art. 17(2)(b)**
- F5** Words in s. 34(3) substituted (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by Armed Forces Act 2006 (c. 52), s. 383(2), **Sch. 14 para. 14(a)**; S.I. 2009/812, **art. 3(a)(b)** (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, **art. 4**
- F6** Words in s. 34(3)(a) substituted (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by Armed Forces Act 2006 (c. 52), s. 383(2), **Sch. 14 para. 14(b)**; S.I. 2009/812, **art. 3(a)(b)** (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, **art. 4**
- F7** S. 34(3)(b) substituted (1.4.1997) by S.I. 1997/306, **art. 17(3)**

#### Marginal Citations

- M1** 1966 c. 45.  
**M2** 1955 c. 18.

**Changes to legislation:**

Reserve Forces Act 1980, Section 34 is up to date with all changes known to be in force on or before 20 October 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.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act excluded (prosp.) by [1996 c. 14 s. 129\(2\)](#)
- Act modified (prosp.) by [1996 c. 14 s. 128Sch. 8 para. 4\(5\)](#)
- Act repealed (except s.048, 55, 130-138,140,151,156,157, 158) (prosp.) by [1996 c. 14 s. 131\(2\)Sch. 11](#)