



Reserve Forces (Safeguard of Employment) Act 1985

1985 CHAPTER 17

Applications to Reinstatement Committees, and appeals

8 Applications to Reinstatement Committees.

- (1) A person—
- (a) who has, or claims to have, entered upon a period of whole-time service, and
 - (b) who claims that he has rights under sections 1, 3, 4, 5 and 7 (the “relevant sections”) which are being or have been denied him,
- may, within the prescribed time, apply to a Reinstatement Committee for the determination of any question relating to his rights, if any, under the relevant sections, and the Reinstatement Committee shall determine that question.
- (2) Where the Reinstatement Committee are satisfied that default has been made by the applicant’s former employer in the discharge of his obligations under the relevant sections, the Reinstatement Committee may make either or both of the following orders as is in their opinion appropriate, having regard to all the circumstances of the case and the nature and extent of the default—
- (a) an order requiring employment to be made available to the applicant by his former employer on such date, in such occupation, on such terms and conditions and at such place as may be specified in the order, being employment which, in the Reinstatement Committee’s opinion is such as is required by the relevant sections to be made available to the applicant;
 - (a) an order requiring that there shall be paid to the applicant by way of compensation for any loss suffered or likely to be suffered by him by reason of the default a sum specified in the order, not exceeding in any event the amount of the remuneration which, in the Reinstatement Committee’s opinion, the applicant would, if the obligations imposed by the relevant sections in relation to him had been duly discharged, have been entitled to receive from his former employer in respect of the period during which under the relevant sections he has to be employed by his former employer.

Changes to legislation: There are currently no known outstanding effects for the Reserve Forces (Safeguard of Employment) Act 1985, Section 8. (See end of Document for details)

- (3) Schedule 2 has effect as to Reinstatement Committees and the umpire and deputy umpires, and Schedule 3 as to the orders of Reinstatement Committees.

Changes to legislation:

There are currently no known outstanding effects for the Reserve Forces (Safeguard of Employment) Act 1985, Section 8.