



# Reserve Forces Act 1996

## 1996 CHAPTER 14

### PART II

#### ENLISTMENT AND CONDITIONS OF SERVICE

##### *Supplementary*

#### **19 Orders and regulations as to enlistment etc.**

- (1) Orders or regulations under section 4 may make provision with respect to the enlistment and re-engagement of men in, and the discharge of men from, the reserve forces.
- (2) Such orders or regulations may, in particular, include provision—
  - (a) specifying the duration of any term for which a person may enlist, whether by reference to a number of years or another criterion or a number of years and another criterion;
  - (b) enabling a man enlisted for a term of service of a description specified in the order or regulations concerned to be treated as if he had enlisted for a term of service of a different description;
  - (c) enabling a man to extend or reduce the term of his service; and
  - (d) enabling service in the reserve forces, or service otherwise than for the purposes of training, to be restricted to service in the United Kingdom or in any area of the United Kingdom.
- (3) No order or regulations under section 4 may make provision such as is mentioned in subsection (1) which has the effect, in relation to any person who was a man of a reserve force immediately before the coming into force of the order or regulations concerned—
  - (a) of imposing a new or greater obligation on him without his consent, or
  - (b) of varying or revoking, without his consent, a right to which he is entitled, not being a right exercisable only with the consent of another person or an authority.

*Changes to legislation: Reserve Forces Act 1996, Cross Heading: Supplementary is up to date with all changes known to be in force on or before 20 April 2024. 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*

- (4) The term for which, or any limited area within which, a man of a reserve force is liable to serve may not, without his consent, be affected or extended by or in accordance with orders or regulations under section 4.

## 20 Command, posting etc. of men in permanent service.

- (1) Men of a reserve force who are in permanent service shall be placed under the command of such officers as the Defence Council or an authorised officer may direct and may be attached to any body or unit of Her Majesty's armed forces.
- (2) Men of the reserve forces in permanent service may, without their consent—
- (a) in the case of the reserve naval and marine forces, be drafted or posted, appointed or transferred to any naval or marine body or unit;
  - (b) in the case of the reserve land forces, be posted, appointed or transferred to any military body or unit (including, in the case of a man of the [<sup>F1</sup>Army Reserve], transfer to any corps);
  - (c) in the case of the reserve air forces, be posted, appointed or transferred to any air-force unit or body,
- by order of the Defence Council or an authorised officer.
- (3) A man of a reserve force who has been the subject of an order under subsection (2) is entitled, if he continues as a member of that force on being released from permanent service, to be returned with all convenient speed to the corps, unit or body in which he was serving immediately before he was accepted into permanent service.
- (4) In this section “authorised officer” means an officer authorised for the purposes of this section by or in accordance with directions of the Defence Council.

### Textual Amendments

- F1** Words in *Act* substituted (1.10.2014) by *Defence Reform Act 2014* (c. 20), s. 44(3)(b)(4), 50(1) (with s. 49(4), Sch. 7 para. 12(3)); S.I. 2014/2370, art. 4(a)

## 21 Service of marines in the Royal Fleet Reserve.

Men of the Royal Fleet Reserve who were transferred to that force from the Royal Marines or are enlisted in that force as marines shall—

- (a) when in permanent service; or
- (b) when undergoing training or performing other duties,

be liable to serve as marine warrant officers, non-commissioned officers and men and not as warrant officers, petty officers and ratings of the Royal Navy.

**Changes to legislation:**

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

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 2 para. 3(2A) inserted by [2003 c. 44 Sch. 3 para. 65](#)