



# Reserve Forces Act 1996

## 1996 CHAPTER 14

### PART V

#### EMPLOYEE AGREEMENTS

##### *Call out for permanent service under Part V*

#### **43 Call out of special members.**

- (1) The Secretary of State may call out for service any special member of a reserve force if he considers that it is appropriate, in the light of operational requirements and the arrangements he has made with the employer of that person, for that person to continue to undertake work of direct or indirect benefit to the armed forces.
- (2) The Secretary of State may call out a special member by serving a notice on that person requiring him—
  - (a) to present himself for service at a specified time and place; and
  - (b) to remain at that place until he is either accepted into service or informed that he is not to be accepted into service in pursuance of the notice.
- (3) A call-out notice shall also require the person concerned, if he fails to comply with the requirements mentioned in subsection (2)—
  - (a) to present himself for service to any person specified in the notice or to any authorised officer; and
  - (b) having so presented himself, to remain until either accepted into service or informed that he is not to be accepted into service in pursuance of the notice.
- (4) A call-out notice shall specify—
  - (a) the person to whom it applies and the agreement by virtue of which he is a special member; and
  - (b) the time and place at which he is to present himself for service;

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*Changes to legislation: Reserve Forces Act 1996, Section 43 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*

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and it may also specify places and times at which and persons to whom the person may present himself for service if he fails to present himself at the time and place specified under paragraph (b) of this subsection.

- (5) A call-out notice shall (without affecting any liability arising from a failure to comply with the notice) cease to have effect, if not revoked sooner, when the special member concerned—
  - (a) ceases to be liable to be called out for service by virtue of section 41; or
  - (b) is either accepted into service or informed that he is not to be accepted into service in pursuance of the notice.
- (6) A call-out notice served on a special member may—
  - (a) be varied by the Secretary of State by serving a variation notice on him;
  - (b) be revoked by the Secretary of State by serving a revocation notice or a subsequent call-out notice on him.
- (7) A notice under this section may be served on a person by delivering it to him or by leaving it at, or sending it by post to, his last known address; and any call-out or variation notice delivered to that address by registered post or recorded delivery shall be deemed to have been served on him.
- (8) No steps may be taken against a person in respect of failure to comply with a call-out notice under this section unless the notice or, as the case may be, any variation notice was received by him or is deemed to have been served on him by virtue of subsection (7).
- (9) In this section and section 44 “service” means permanent service.

**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](#)