



Army and Air Force Act 1961

1961 CHAPTER 52

Army Enlistment

6 Continuance in service in regular forces after long-term service

- (1) A soldier of the regular forces enlisted on a long-term enlistment who has completed the prescribed period (which shall not be less than fifteen years) of continuous service from the relevant date may give notice to his commanding officer of his desire to continue in army service after the completion of his term of service, for such period, not exceeding five years, as may be specified in the notice ; and if the competent military authority approve he may, after the completion of his term of service, be continued as a soldier of the regular forces for the period specified in the notice, in all respects as if his term of service were still unexpired.

The giving, under the foregoing provisions of this subsection, of a notice by a soldier shall not prejudice the exercise by him of any right conferred by regulations made in pursuance of subsection (1) of section three of this Act or by subsection (3) of that section.

- (2) Where a soldier of the regular forces will, at the end of the term for which he enlisted, have completed not less than twenty-two years' service but will not be entitled to give a notice under the last foregoing subsection, he may, at any time during the last twelve months of that term, give notice to his commanding officer of his desire to continue in army service, after the end of that term, for such period, not exceeding five years, as may be specified in the notice; and, if the competent military authority approve, he may, after the end of that term, be continued as a soldier of the regular forces, for the period specified in the notice, in all respects as if that term were still unexpired.

The references in this subsection to the term for which a soldier enlisted shall, where the term has been extended under subsection (1) of the last foregoing section, be construed as references to the term as so extended.

- (3) A soldier of the regular forces for the time being continued in service under subsection (1) or (2) of this section may, within the prescribed period immediately preceding the date on which the period for which he is so continued will end, give notice to his commanding officer of his desire to continue further in army service after

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that date for such period, not exceeding five years, as may be specified in the notice; and if the competent military authority approve, he may, after that date, be further continued as a soldier of the regular forces, for the period specified in the notice, in all respects as if the term for which he was previously continued in service were still unexpired.

- (4) The last foregoing subsection shall apply to soldiers of the regular forces continued in service thereunder as it applies to such soldiers continued in service under subsection (1) or (2) of this section.
- (5) Section three of this Act shall not apply in the case of a soldier who is continued in service under this section; but any such soldier may claim his discharge at the expiration of the period of three months beginning with the date on which he gives to his commanding officer notice of his wish to be discharged.
- (6) References in this section to periods of service shall, except so far as the context otherwise requires, be construed as including references to periods served in the reserve, but as not including—
 - (a) periods of whole-time or part-time service within the meaning of Part I of the National Service Act, 1948, or
 - (b) in relation to a soldier who enlisted for a term ending with the expiration of a period beginning with the date of his attaining the age of eighteen years, any period during which he was under that age.