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STATUTORY INSTRUMENTS

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**1992 No. 1366**

**DEFENCE**

**The Army Terms of Service (Part-time Service in Northern Ireland) Regulations 1992**

<i>Made</i>	- - - -	<i>9th June 1992</i>
<i>Laid before Parliament</i>		<i>9th June 1992</i>
<i>Coming into force</i>	- -	<i>1st July 1992</i>

The Defence Council, in exercise of the powers conferred upon them by section 2 of the Armed Forces Act 1966((1)), hereby make the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Army Terms of Service (Part-time Service in Northern Ireland) Regulations 1992 and shall come into force on 1st July 1992.

**Application and interpretation**

2.—(1) These Regulations shall apply to any person enlisted for part-time service in the regular army in Northern Ireland.

(2) In these Regulations—

“the 1955 Act” means the Army Act 1955((2));

“part-time service” means service (including service for the purposes of training) that is required only at such times as a person may be called out under these Regulations.

(3) In these Regulations, any reference to a numbered regulation or paragraph is a reference to the regulation or paragraph so numbered in these Regulations.

**Terms of enlistment**

3. A person may be enlisted in the regular army for part-time service in Northern Ireland which, otherwise than for the purposes of training, is restricted to Northern Ireland, for a term expiring one, two or three years after the date of his attestation.

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(1) 1966 c. 45; section 2 was amended by the Armed Forces Act 1976 (c. 52), section 2, and by the Army Act 1992 (c. 39), section 2.  
(2) 1955 c. 18.

4.—(1) A person may at any time between a date one year prior to the last day of the term for which he has enlisted and 28 days prior to such last day apply in writing to his commanding officer to continue in part-time service after the completion of his term of service for such period of one, two or three years as may be specified in the application, and if the competent military authority gives written approval to the application he may after the completion of his term of service be continued as a person in part-time service for the period specified in the application in all respects as if his term of service were still unexpired.

(2) In this regulation “competent military authority” means—

- (a) the Officer in Charge of Records of the Corps in which the person is serving; or
- (b) the Director of Manning (Army).

#### **Determination of service**

5. A person shall, except when called out under regulation 7, have the right to determine his service by a notice in writing given to his commanding officer not less than 28 days before the date on which it is to take effect.

#### **Emergency service call-out**

6.—(1) Any officer authorised under paragraph (2) may, subject to any limitation specified in that authorisation, call out a person enlisted under regulation 3 for emergency service in Northern Ireland if, and for so long as, it appears to that officer to be necessary or expedient for the defence of life or property in Northern Ireland against armed attack or sabotage, whether actual or apprehended.

(2) The Secretary of State may—

- (a) grant authority in writing to any officer of the regular forces of a rank not lower than major to exercise the power conferred by paragraph (1);
- (b) by that authority authorise that officer in turn to authorise any other officer designated by him (being an officer of the regular forces of a rank not lower than major) to exercise that power;

and any such authorisation may be given either in general terms or subject to such limitations as may be specified in the authorisation.

(3) In this regulation “regular forces” has the meaning given by the 1955 Act.

#### **Permanent service call-out**

7.—(1) Any person enlisted under regulation 3 shall be liable to be called out for permanent service in Northern Ireland in defence of the United Kingdom against actual or apprehended attack or if it appears to the Secretary of State that national danger is imminent or that a great emergency has arisen.

(2) Such a person may be called out by the Secretary of State by a notice in writing (a “call-out notice”) specifying the time and place at which the person is to present himself for service.

(3) The call-out notice shall be served on the person personally, or by registered post or the recorded delivery service to his last known address.

(4) If the services of a person called into service by a call-out notice under paragraph 2 are no longer required, he shall be released from that service with all convenient speed.

#### **Training**

8.—(1) Any officer of a rank not lower than major may—

- (a) by notice in writing call out for the purposes of training a person enlisted for part-time service;
  - (b) require a person called out under regulation 6 or under regulation 7 to undergo training.
- (2) Any such training shall not, otherwise than with the person's consent, in any year of his service exceed a period of 15 days or periods together totalling 15 days.

On behalf of the Defence Council

*A. Hamilton*

Members of the Defence Council

Dated 9th June 1992

*P.A. Inge*

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

(This Note is not part of the Regulations)

These Regulations provide for terms and conditions of service of persons enlisted in the regular army for part-time service in Northern Ireland. Together with the Army Terms of Service Regulations 1992 (S.I.1992/1365) they replace the Army Terms of Service Regulations 1986 (S.I. 1986/2072) as amended. They make provisions as to call-out similar to those in the Reserve Forces Act 1980 (c. 9) (the 1980 Act) which applied to the Ulster Defence Regiment before the coming into force of the Army Act 1992 (c. 39).

Regulations 3 and 4 provide for terms of enlistment of one, two and three years. Regulation 5 provides for determination of service on 28 days' notice.

Regulation 6 provides for emergency service call-out, similar in substance to that provided by section 25 of the 1980 Act.

Regulation 7(1) provides for call-out for permanent service reflecting the provisions in sections 10 and 24 of the 1980 Act, with the power to call out for national danger being vested in the Secretary of State. Paragraphs (2) to (5) make provisions for call-out notices similar in substance to those in sections 26 to 29 of the 1980 Act.

Regulation 8 makes requirements as to training.