
STATUTORY INSTRUMENTS

1998 No. 3086

The Reserve Forces Act 1996 (Consequential Provisions etc.) Regulations 1998

Amendments in connection with special members of reserve forces

Fines for service offences

3.—(1) In subsection (5) of section 71 of the 1955 Acts and subsection (6) of section 43 of the 1957 Act (fines for service offences) the words from “and for the purposes of this subsection” to the end of the subsection shall be omitted.

(2) After subsection (5) of section 71 of the 1955 Acts there shall be inserted—

“(5A) For the purposes of subsection (5) above, a day’s pay shall be taken to be—

- (a) subject to paragraph (b) below, the gross pay which is, or would apart from any forfeiture be, issuable to the offender in respect of the day on which the punishment is awarded;
- (b) if the offender is a special member of a reserve force, the gross pay which would have been issuable to him in respect of that day if he had been an ordinary member of that reserve force of the same rank.

(5B) In subsection (5A)(b) above “special member” and “ordinary member” have the same meaning as in the Reserve Forces Act 1996.”.

(3) After subsection (6) of section 43 of the 1957 Act there shall be inserted—

“(6A) For the purposes of subsection (6) above, a day’s pay shall be taken to be—

- (a) subject to paragraph (b) below, the gross pay which is, or would apart from any forfeiture be, issuable to the offender in respect of the day on which the punishment is awarded;
- (b) if the offender is a special member of a reserve force, the gross pay which would have been issuable to him in respect of that day if he had been an ordinary member of that reserve force of the same rank.

(6B) In subsection (6A)(b) above “special member” and “ordinary member” have the same meaning as in the Reserve Forces Act 1996.”.

(4) In section 76C of the 1955 Acts (punishments available on summary dealings) for subsection (9) there shall be substituted—

“(9) For the purposes of subsections (6) to (8) above, a day’s pay shall be taken to be—

- (a) subject to paragraph (b) below, the gross pay which is, or would apart from any forfeiture be, issuable to the offender in respect of the day on which the punishment is awarded;
- (b) if the offender is a special member of a reserve force, the gross pay which would have been issuable to him in respect of that day if he had been an ordinary member of that reserve force of the same rank.

Status: This is the original version (as it was originally made).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

(9A) In subsection (9)(b) above “special member” and “ordinary member” have the same meaning as in the Reserve Forces Act 1996.”.