
STATUTORY INSTRUMENTS

1998 No. 3086

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

Amendments in connection with special members of reserve forces

Summary fines for contempt

4.—(1) In—

- (a) section 57(2)(a) of the 1955 Acts, and
- (b) section 38(3)(a) of the 1957 Act,

(limit on amount of fine where contempt of court-martial dealt with summarily, etc.), the words “(a day’s pay being taken for this purpose as the gross amount which is, or would apart from any forfeiture be, issuable to the offender in respect of the day on which the order is made)” shall be omitted.

(2) After subsection (2A) of section 57 of the 1955 Acts there shall be inserted—

“(2B) For the purposes of subsection (2) 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 order is made;
- (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.

(2C) In subsection (2B)(b) above “special member” and “ordinary member” have the same meaning as in the Reserve Forces Act 1996.”.

(3) After subsection (3A) of section 38 of the 1957 Act there shall be inserted—

“(3B) For the purposes of subsection (3) 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 order is made;
- (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.

(3C) In subsection (3B)(b) above “special member” and “ordinary member” have the same meaning as in the Reserve Forces Act 1996.”.