SCHEDULE

POSTPONEMENT OF DISCHARGE OR TRANSFER TO RESERVE: TRANSITIONAL CASES

The regular forces (apart from the Royal Marines)

- 1.—(1) Section 9 of the Army Act 1955 (postponement of discharge or transfer to reserve), in so far as it continues to have effect under paragraph 2 of Schedule 7 to the Reserve Forces Act 1996 without the amendments made by paragraph 1 of that Schedule, shall have effect in accordance with sub-paragraph (2).
 - (2) After subsection (7) there shall be inserted-
 - "(8) Subject to subsection (9) below, in this section references to men of the reserve being called out on permanent service are references to their being called out under an order made under—
 - (a) section 52 of the Reserve Forces Act 1996 (call out in the event of a national emergency, great danger or an actual or apprehended attack on the United Kingdom, the Channel Islands or the Isle of Man), or
 - (b) section 54 of the 1996 Act (call out because warlike operations are in preparation or in progress).
 - (9) In relation to a soldier who enlisted in the regular air force before 1st April 1967, references to men of the reserve being called out on permanent service include references to their being called out under an order under section 54 of the 1996 Act only if—
 - (a) he re-engaged in the regular army on or after that date, or
 - (b) he has made an irrevocable election to that effect in the manner prescribed by orders or regulations under section 4 of the Reserve Forces Act 1996 (or regulations having effect as if made under that section).
 - (10) In subsection (9) above "the regular army" means the regular forces apart from the Royal Marines".