
STATUTORY INSTRUMENTS

2000 No. 1772

DEFENCE

**The Royal Marines Terms of Service
(Amendment) Regulations 2000**

<i>Made</i>	- - - -	<i>4th July 2000</i>
<i>Laid before Parliament</i>		<i>10th July 2000</i>
<i>Coming into force</i>	- -	<i>1st August 2000</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 Royal Marines Terms of Service (Amendment) Regulations 2000 and shall come into force on 1st August 2000.

Amendments to Regulations

2.—(1) The Royal Marines Terms of Service Regulations 1988⁽²⁾ shall be amended in accordance with the following provisions of this regulation.

(2) In regulations 6(2) (change in terms of enlistment) and 7(1) (right to transfer to the reserve) and in paragraphs (1) and (5) of regulation 11 (continuance in service), the words “12 months” shall be substituted for the words “18 months” wherever they appear.

(3) For regulation 10 (right of recruit to claim discharge) there shall be substituted—

“10.—(1) Subject to the following provisions of this regulation, a person who enlists in the Royal Marines who has not previously so enlisted shall have the right to determine his service by giving notice in writing to his commanding officer.

(2) The notice referred to in paragraph (1) shall not have effect unless it is given after the person has completed 28 days' service and before the expiration of the period of 6 months beginning with the date of his attestation.

(1) 1966 c. 45; section 2(1)(f) was amended by section 2 of the Armed Forces Act 1976 (c. 52). Other amendments have been made to section 2 which are not relevant to these Regulations.

(2) S.I. 1988/1395.

(3) Subject to paragraph (4), a person claiming his discharge by virtue of paragraph (1) shall be entitled to be discharged at the end of a period of 14 days beginning with the date on which he gave notice.

(4) If such notice expires at a time when marines are required by an order under paragraph 4B of Schedule 7 to the Army Act 1955 (continuation of service in the Royal Marines in imminent national danger) to continue in service in the Royal Marines, he shall not be discharged so long as marines are so required to continue in such service.

(5) In calculating any period of time referred to in this regulation, no account shall be taken of any day during the whole or part of which the person was absent either on leave or for an unauthorised purpose.”

(4) In the Schedule (Competent Authorities), the words “The Naval Secretary” shall in each case be substituted for the words—

- (a) “Major General Royal Marines, Training, Reserve and Special Forces”;
- (b) “Commandant General Royal Marines”; and
- (c) “The Head of Naval Manpower and Training Division, Ministry of Defence”.

Savings

3. The Royal Marines Terms of Service Regulations 1988 shall continue to apply without the amendment made by regulation 2(3) in relation to any person whose date of attestation is before 1st August 2000.

On behalf of the Defence Council

4th July 2000

Mr John Spellar
ADM Sir Michael Boyce
Members of the Defence Council

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Royal Marines Terms of Service Regulations 1988 (“the 1988 Regulations”).

Regulation 2(2) amends regulations 7(1) and 11 of the 1988 Regulations so as to reduce from 18 to 12 months the notice period required to be given by a person exercising his right under those provisions to be discharged or transferred to the reserve. The amendments made to regulation 6(2) of the 1988 Regulations by regulation 2(2) are consequential to this change.

Regulation 2(3) substitutes a new regulation 10 into the 1988 Regulations which provides for the right of new recruits to determine their service. Under the new regulation, all recruits are entitled to determine service on the giving of 14 days' notice. Such notice may be given within the period starting after the recruit has completed 28 days' service and before he has completed 6 months' service. One of the effects of this change is that there are now no longer any circumstances in which a recruit is required to purchase his discharge.