



# Reserve Forces Act 1980

## 1980 CHAPTER 9

### PART V

#### [<sup>F1</sup>ARMY RESERVE] AND ROYAL AUXILIARY AIR FORCE

##### Textual Amendments

- F1** Words in Act substituted (1.10.2014) by [Defence Reform Act 2014 \(c. 20\), s. 44\(3\)\(b\)\(4\)50\(1\)](#) (with s. 49(3)(5)); S.I. 2014/2370, art. 4(a)

*Government, discipline and pay of [<sup>F1</sup>Army Reserve] and Royal Auxiliary Air Force*

**F2**<sup>88</sup> .....

##### Textual Amendments

- F2** S. 88 repealed (1.4.1997) by [1996 c. 14, s. 131\(2\), Sch. 11](#) (with s. 72(5)); S.I. 1997/305, art. 2

**F3**<sup>89</sup> .....

##### Textual Amendments

- F3** S. 89 repealed (1.4.1997) by [1996 c. 14, s. 131\(2\), Sch. 11](#) (with s. 72(5)); S.I. 1997/305, art. 2

**F4**<sup>90</sup> .....

**Changes to legislation:** Reserve Forces Act 1980, Part V is up to date with all changes known to be in force on or before 15 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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**Textual Amendments**  
**F4** S. 90 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

**F5**<sup>91</sup> .....

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**Textual Amendments**  
**F5** S. 91 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

**F6**<sup>92</sup> .....

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**Textual Amendments**  
**F6** S. 92 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

**93 Exercise of powers of military and air force office holders.**

- (1) Any power or jurisdiction given to, and act or thing to be done by, to or before any person holding any military or air force office, may—
  - (a) in relation to the [<sup>F1</sup>Army Reserve] , or
  - (b) in relation to the Royal Auxiliary Air Force,as the case may be, be exercised by or done by, to or before any other person for the time being authorised in that behalf according to the custom of the service.
- (2) Where by this Part of this Act, or by any order or regulation in force under it, any order is authorised to be made by any military or air force authority—
  - (a) the order may be signified by an order, instruction or letter under the hand of any officer authorised to issue orders on behalf of that authority; and
  - (b) an order, instruction or letter purporting to be signed by any officer who appears from it to be so authorised shall be evidence of his being so authorised.

*Enlistment*

**F7**<sup>94</sup> .....

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**Textual Amendments**  
**F7** S. 94 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

**F8**<sup>95</sup> .....

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**Textual Amendments**

**F8** S. 95 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

**F<sup>9</sup>96** .

**Textual Amendments**

**F9** S. 96 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

**F<sup>10</sup>97** .

**Textual Amendments**

**F10** S. 97 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

*Discharge*

**F<sup>11</sup>98** .....

**Textual Amendments**

**F11** S. 98 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

**F<sup>12</sup>99** .....

**Textual Amendments**

**F12** S. 99 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

**100 Postponement of discharge: [<sup>F1</sup>Army Reserve] and Royal Auxiliary Air Force.**

- (1) Where the time at which a man of the [<sup>F1</sup>Army Reserve] or the Royal Auxiliary Air Force would otherwise be entitled to be discharged occurs during a period of emergency, he may be required to prolong his service for such further term, not exceeding 12 months, as the Defence Council or an officer designated by them may order.
- (2) A man shall not during a period of emergency be entitled to be discharged under [<sup>F13</sup>section 16(2)(a) of the Reserve Forces Act 1996].
- (3) In this section the expression “period of emergency” means—

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- (a) in relation to a man of the [<sup>F1</sup>Army Reserve] , any period while an order under [<sup>F14</sup>section 52(1)(a) of the Reserve Forces Act 1996] is in force [<sup>F14</sup>authorising members of] the [<sup>F15</sup>Regular Reserve] to be called out for permanent service;
- (b) in relation to a man of the Royal Auxiliary Air Force, any period—
  - (i) while an order under [<sup>F14</sup>section 52(1)(a) of the Reserve Forces Act 1996] is in force [<sup>F14</sup>authorising members of] the Air Force Reserve to be called out for permanent service; or
  - (ii) while the man in question is called out for home defence service.

**Textual Amendments**

**F13** Words in s. 100(2) substituted (1.4.1997) by [S.I. 1997/306, reg. 24\(2\)](#)

**F14** Words in s. 100(3) substituted (1.4.1997) by [S.I. 1997/306, reg. 24\(3\)\(a\)\(b\)](#)

**F15** Words in Act substituted (1.10.2014) by [Defence Reform Act 2014 \(c. 20\), s. 44\(3\)\(a\)\(4\)50\(1\)](#) (with s. [49\(3\)\(5\)](#)); [S.I. 2014/2370, art. 4\(a\)](#)

**101 Postponement of discharge: [<sup>F1</sup>Army Reserve] .**

- (1) A man of the [<sup>F1</sup>Army Reserve] who is a person to whom section 11 above applies shall not be entitled to be discharged under [<sup>F16</sup>section 16(2)(a) of the Reserve Forces Act 1996] during any period while an order is in force under [<sup>F16</sup>section 54 of the Reserve Forces Act 1996 authorising the call-out of members of the [<sup>F1</sup>Army Reserve]] .
- (2) Subsections (1) and (2) of section 100 above shall have effect, in relation to a man who enlists or re-engages in the [<sup>F1</sup>Army Reserve] on or after 1st April 1967, as if the period of emergency within the meaning of that section included any period while he is called out for home defence service.

**Textual Amendments**

**F16** Words in s. 101(1) substituted (1.4.1997) by [S.I. 1997/306, reg. 25\(2\)](#)

**<sup>F17</sup>102** .....

**Textual Amendments**

**F17** S. 102 repealed (1.4.1997) by [1996 c. 14, s. 131\(2\), Sch. 11](#) (with s. [72\(5\)](#)); [S.I. 1997/305, art. 2](#)

*Additional provisions as to call-out*

**<sup>F18</sup>103** .....

**Textual Amendments**

**F18** S. 103 repealed (1.4.1997) by [1996 c. 14, s. 131\(2\), Sch. 11](#) (with s. [72\(5\)](#)); [S.I. 1997/305, art. 2](#)

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**F19** **104** .....

**Textual Amendments**

**F19** S. 104 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

**105** .....

**Modifications etc. (not altering text)**

**C1** S. 105 repealed (1.4.1997) by 1996 c. 14, ss. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

*Offences*

**F20** **106** .....

**Textual Amendments**

**F20** S. 106 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

**F21** **107** .  
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**Textual Amendments**

**F21** S. 107 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

**F22** **108** .....

**Textual Amendments**

**F22** S. 108 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

**F23** **109** .....

**Textual Amendments**

**F23** S. 109 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

**F24** **110** .....

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**Textual Amendments**

**F24** S. 110 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

<sup>F25</sup> **111** .....

**Textual Amendments**

**F25** S. 111 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

<sup>F26</sup> **112** .....

**Textual Amendments**

**F26** S. 112 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

<sup>F27</sup> **113** .....

**Textual Amendments**

**F27** S. 113 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

<sup>F28</sup> **114** .....

**Textual Amendments**

**F28** S. 114 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

<sup>F29</sup> **115** .....

**Textual Amendments**

**F29** S. 115 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

<sup>F30</sup> **116** .....

**Textual Amendments**

**F30** S. 116 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

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*Miscellaneous*

<sup>F31</sup>**117** .....

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**Textual Amendments**

**F31** S. 117 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

<sup>F32</sup>**118** .....

.....  
**Textual Amendments**

**F32** S. 118 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

<sup>F33</sup>**119** .....

.....  
**Textual Amendments**

**F33** S. 119 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

**120 Service of notices for [<sup>F1</sup>Army Reserve] and Royal Auxiliary Air Force.**

Notices required in pursuance of—

- (a) this Part of this Act, or
- (b) the orders and regulations in force under this Part,

to be given to men of the [<sup>F1</sup>Army Reserve] or of the Royal Auxiliary Air Force shall be served or published in such manner as may be prescribed and, if so served or published, shall be deemed to be sufficient notice.

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act excluded (prosp.) by [1996 c. 14 s. 129\(2\)](#)
- Act modified (prosp.) by [1996 c. 14 s. 128Sch. 8 para. 4\(5\)](#)
- Act repealed (except s.048, 55, 130-138,140,151,156,157, 158) (prosp.) by [1996 c. 14 s. 131\(2\)Sch. 11](#)