
STATUTORY INSTRUMENTS

2007 No. 3383

DEFENCE

**The Army Act 1955 (Part 1) (Regular Army)
Regulations 1992 (Amendment) Regulations 2007**

<i>Made</i>	- - - -	<i>29th November 2007</i>
<i>Laid before Parliament</i>		<i>3rd December 2007</i>
<i>Coming into force</i>	- -	<i>1st January 2008</i>

The Defence Council make the following Regulations in exercise of the powers conferred upon them by sections 2, 22 and 23 of the Army Act 1955(1).

Citation and commencement

1. These Regulations may be cited as the Army Act 1955 (Part 1) (Regular Army) Regulations 1992 (Amendment) Regulations 2007 and shall come into force on 1st January 2008.

Amendment to the principal Regulations

2.—(1) The Army Act 1955 (Part 1) (Regular Army) Regulations 1992(2) (“the principal Regulations”) shall be amended as follows.

(2) For the forms set out in Schedule 2 (notice to be given under section 2(1) of the Army Act 1955 to a person offering to enlist in the regular army), substitute the form in the Schedule to these Regulations.

(1) 1955 c.18; the power to make regulations under section 22 was vested in the Defence Council by virtue of an amendment to section 22 by S.I. 1964/488. Section 22(2) (which provides for such regulations to be made by statutory instrument) was inserted by the Armed Forces Act 1996 (1996 c.46), section 4(1), and came into force on 1st May 2001.

(2) These Regulations were made by the Defence Council and came into force on 1st July 1992. They were subsequently amended by the Army Act 1955 (Part 1) (Regular Army) (Amendment) Regulations 1995, which were made by the Defence Council on 17th July 1995 and came into force on 1st August 1995. The principal Regulations as previously amended do not constitute statutory instruments.

Status: This is the original version (as it was originally made).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

On behalf of the Defence Council

29th November 2007

Derek Twigg
Richard Dannatt
Members of the Defence Council
Members of the Defence Council

SCHEDULE 1

Regulation 2(2)

Prescribed form to be substituted in Schedule 2 to the principal Regulations
ARMY NOTICE PAPER

REGULAR ARMY - FULL-TIME

NOTICE TO BE GIVEN UNDER SECTION 2(1) OF THE ARMY ACT 1955 TO A PERSON OFFERING TO ENLIST IN THE REGULAR ARMY

This notice sets out:

1. The general conditions and terms of your enlistment.
2. The questions you will be asked by the officer who will attest (formally enlist) you in Her Majesty's Regular Army and which you must answer.

The consent of your parent(s) or legal guardian must be given before you are enlisted if you are under the age of 18.

Please make sure you understand the conditions described below and do not be afraid to ask questions. The staff at any Armed Forces Careers Office will be pleased to explain any points to you without any obligation on your part.

PART 1

General Conditions of Enlistment

1. Your engagement will be of one of the types stated below and will consist of full-time Regular Army service during which you may be called upon to serve in any part of the world. When your Colour service ends you will return to civilian life but if this happens before you have completed the term of service for which you enlisted, you may be required to serve in the Army Reserve for a limited period. Your liabilities as a member of the Army Reserve are explained under "Reserve Service" at paragraphs 25 - 28 below.
2. Her Majesty and the military authorities have the right to discharge you at any time if your services are no longer required.

Terms of Enlistment

3. You will be enlisted to serve in the Regular Army on either a Short Service Engagement, a Versatile Engagement or a Local Service Engagement.

Short Service Engagement

4. Type 'S' Engagement. This engagement is for a fixed period of between no less than 6 months' and no more than 12 years' Colour service. This engagement is normally open only to applicants who are not eligible to enlist on the Versatile Engagement by reason of age, length of previous service or any other cause.

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Versatile Engagement

5. There are 3 types of Career (“short”, “full”, “long”) available on a Versatile Engagement (“VEng”). The type on which you enlist will depend upon your chosen Corps or trade. In most cases, enlistment will be on a VEng Short Career but some Corps may enlist directly on a VEng Full Career or a VEng Long Career.
6. VEng Short Career. This engagement is for a term of 12 years’ Colour service.
7. VEng Full Career. This engagement is for a term of 24 years’ Colour service.
8. VEng Long Career. This engagement is for a term of 30 years’ Colour service.
9. Conversion between VEng Careers. If you enlist on a VEng Short Career you may be selected for further service on a VEng Full Career and if you opt to undertake such further service, you will be treated as if you had enlisted on a VEng Full Career. In the same way, if you enlist on a VEng Full Career you may be selected for further service and if you opt to undertake such further service, you will be treated as if you had enlisted on a VEng Long Career.
10. Extension of Service on VEng. If you are serving on a VEng Long Career, provided there are at least 2 years unexpired before the date your service is due to end, you may be selected for further service for a term of 6 years or until the date of your 55th birthday, whichever is the earlier. In exceptional cases, where there is a Service need for particular skills, it may be possible to continue in service after the age of 55.
11. Continuance in Service on VEng. If you are serving on a VEng Short Career or a VEng Full Career but are not selected for further service, you may be allowed to continue in service for a further period of up to 2 years beyond the date your service would otherwise end.

Local Service Engagement

12. Military Local Service Engagement (MLSE). This engagement is solely for those enlisting in the Adjutant General's Corps Military Provost and Guard Service. The MLSE is for a term of 3 years' service restricted to a particular area of the United Kingdom (within a 30 miles radius of the place specified in the notice given to the recruiting officer at the time of enlistment). Those enlisted on this engagement may apply to re-engage for further 3-year periods up to the age of 55 years subject to the right to determine service on giving 90 days' written notice. Service on MLSE incurs no Reserve liability.

Discharge as of Right (DAOR)

13. Under 18. If this is your first enlistment in the Regular Army you have the right to claim your discharge, with no subsequent reserve liability. You may, subject to your completing 28 days' service excluding leave, claim your discharge at any time before the end of 6 months from the date of your enlistment, but you do have to give 14 days' notice to your Commanding Officer.
14. Over 18. If this is your first enlistment in the Regular Army you have the right to claim your discharge, with no subsequent reserve liability. You may, subject to your completing 28 days' service excluding leave, claim your discharge at any time before the end of 3 months from the date of your attestation, but you do have to give 14 days' notice to your Commanding Officer.
15. Provided that the claim is made within the relevant period, the discharge will be carried out with all convenient speed and you will be allowed to leave the Army. However, if at the time you claim your discharge a Queen's Order has been made ordering that all soldiers who would otherwise be transferred to the Army Reserve shall continue to serve with the Colours, your discharge may be deferred for so long as the Queen's Order remains in force. Such an Order would be made only at a time of national danger or emergency.

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Compassionate Release

16. If at any time during your Colour service there are compelling reasons which make it essential for you to be released from the Colours, you may be allowed to leave the Army. If you are released from the Colours on compassionate grounds you shall be transferred to the Army Reserve (in which case you will be subject to the terms set out in paragraphs 25-28) or discharged with obligations as a member of the Long Term Reserve only.

General Provisions

Choice of Corps

17. You will be enlisted into a specific Corps of the Army and will be allotted to the Corps of your choice provided that there is a vacancy in the Corps and you are duly qualified. Within that Corps you may in the normal course of duty be posted from one regiment or unit to another.

Employment

18. As soon as you have been enlisted you will be subject to Military Law and you will be required to carry out whatever duties are required by those in authority over you. The nature of your employment is always subject to the needs of the Service and no guarantee can be given that you will be employed on any particular duties or in any particular employment. Nevertheless, if you are allocated to a particular trade with a view to being trained or employed in it, you will normally be so trained and employed.

19. If at any time during the first 6 months of your service you are found to be unsuitable for the Corps to which you are appointed but suitable for service in another Corps, you may be given the choice of either transferring to that Corps or of leaving the Army.

Transfer

20. Except in wartime or in an emergency, you can be transferred compulsorily from one Corps to another only by order of a member of the Army Board.

Discharge

21. You may be discharged if you make a false answer to any of the questions at the end of this paper or because of any other irregularities concerned with your enlistment. Other examples of grounds on which you may be discharged are misconduct, unfitness on medical grounds, or for the benefit of the public service.

22. There are certain circumstances under which the date when you have a right to end your Colour service can be altered. The date could be delayed because of legal proceedings, thus:

(a) If you are found guilty of desertion, you will be liable to forfeit service. This means that the date for the end of your Colour service, and of course your subsequent reserve liability, might be deferred.

(b) If when your period of Colour service is coming to an end you are serving a sentence of imprisonment, or detention abroad, or are liable to court martial proceedings, your Colour service may be extended until the proceedings and any sentence abroad have been completed.

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23. The date may also be delayed if, when your Colour service is coming to an end:
- (a) You are outside the United Kingdom; or
 - (b) A state of war exists; or
 - (c) A call-out order under section 52, 54 or 56 of the Reserve Forces Act 1996 is in force authorising the call out for permanent service of members of the reserve forces or a Queen's Order is in force requiring that soldiers who would otherwise be transferred to the Army Reserve shall continue to serve with the Colours; whereupon you may be retained with the Colours for a further period. This will not exceed 12 months except if a state of war exists between Her Majesty and any foreign power when it could be longer.
24. If you are enlisted in the United Kingdom, at the termination of your service or on transfer to the Reserve you will normally be conveyed from your last place of duty to a selected place of residence in the United Kingdom. Special rules cover conveyance from an overseas command or station where service is terminated prematurely at your request. Similarly special rules apply when the selected place of residence is not in the United Kingdom.

Reserve Service

25. If you serve on a Short Service Type "S" or on a Versatile Engagement and decide to end your service before you have completed the term of service for which you enlisted, you will be required to serve in the Army Reserve for the balance of the period for which you enlisted or for 6 years, whichever is the shorter period.
26. If you are transferred to the Army Reserve you are subject to certain liabilities:
- (a) You may be called out for training. This will not in any year amount to more than one period of up to 16 days and up to 4 other periods of no longer than 36 hours each as may be prescribed in the Army Reserve Regulations.
 - (b) You may be called out for permanent service in the United Kingdom or overseas when a call-out order is made under the powers of one of the following sections of the Reserve Forces Act 1996:
 - (i) section 52, for situations of national danger, great emergency or attack on the United Kingdom; or
 - (ii) section 54, when warlike operations are in preparation or progress; or
 - (iii) section 56, on operations outside the United Kingdom for the protection of life or property or anywhere in the world for the alleviation of distress or the preservation of life or property in time of disaster or apprehended disaster.
27. The maximum obligatory period of permanent service when called out is limited according to the call-out power used. The limits are:
- (a) three years in any six, extendable by Order of Her Majesty to five in any six, for call-out under section 52;
 - (b) twelve months in any three years, extendable by order of Her Majesty to two years in any three for call-out under section 54; and
 - (c) nine months in any twenty-seven months, with no provision for extension for call-out under section 56.

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28. When you have completed any Army Reserve service you may be transferred to the Long Term Reserve for a term of up to 18 years from the date you were last transferred or discharged from the Regular Army, apart from any service following recall, or until the age of 55 years if sooner. If you are in receipt of a service pension you may be recalled at any time until the age of 55 years or up to 18 years from the date you were discharged from the Regular Army, apart from any service following recall, whichever is the sooner. As an Army pensioner or Long Term Reservist you are liable to be recalled to the Regular Army in the event of national danger or great emergency, or attack on the United Kingdom. The duration of service on recall is limited to three years in any six unless extended by an order made by Her Majesty to five years in any six.

Attestation

29. If you wish to enlist you will be required by the Recruiting Officer to answer the questions in Part 2 of this Notice, to make and sign the declaration and to take the oath shown on the Attestation Paper - or make an affirmation to the same effect - and you will become subject to military law.

PART 2

**ARMY
ATTESTATION PAPER**

Questions to be put to the Recruit before enlistment

Under the provisions of section 19 of the Army Act 1955, if any person knowingly makes a false answer to any question contained in the Attestation Paper he/she is liable to punishment of up to 3 months' imprisonment. If any irregularity comes to light after the person has enlisted, in addition to being liable to the aforementioned punishment he/she may be discharged from the Army.

1. (a) What is your surname? (Block letters).....
- (b) What are your forenames? (Block letters).....
2. What is your date of birth? (Block letters).....
3. What is your place of birth? (Block letters)
 - (a) Town or village.....
 - (b) County
 - (c) Country.....
4. What is your full postal address?.....
.....
.....
5. Are you single, married, in a civil partnership, a surviving spouse or civil partner, legally separated, mutually separated, divorced or a person whose civil partnership has been dissolved? State which.....
6. How many children under 16 years of age are dependent on you?.....

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- 7. (a) What is your present nationality?.....
- (b) Do you possess, or have you ever possessed, any other nationality? **(If yes full details must be given)**.....
- 8. (a) What is the present nationality of:
 - (i) Your father?.....
 - (ii) Your mother?
 - (iii) Your spouse/civil partner?.....
- (b) Does either of your parents, or your spouse or your civil partner, if applicable, possess, or have they ever possessed, any other nationality? **(If yes full details must be given)**.....
- 9. What is your religious denomination?
- 10. (a) Have you ever been found guilty of an offence by any court? YES/NO
- (b) If YES, in respect of each offence, what was:
 - (i) The offence.....
 - (ii) The court.....
 - (iii) The date of court hearing.....
 - (iv) The sentence or order.....
- (c) Is any alleged offence outstanding against you? YES/NO
- (d) Are any legal proceedings of any sort pending against you in any civil court YES/NO

Note: You do not have to mention any conviction which is "spent" under the Rehabilitation of Offenders Act 1974. If in doubt, you should refer to MoD Form 493 before completing Question 10.

If the space above is insufficient for you to complete your answers to any part of Question 10, they should be continued on the reverse of this form and signed by you.

- 11. Do you belong to, or have you ever served in, any of the Regular, Auxiliary or Reserve Naval, Military or Air Forces of this or any other country? YES/NO
- (If YES please give following details):**
- Service (incl. Regt/Corps, last Unit or Ship).....
- Service No. Rank and Trade.....
- Period of Service:
 - Enlisted.....
 - Discharged.....
- Reserve Liability:
 - Class/Category.....
 - Reserve.....
 - Enlisted.....
 - Discharged.....
 - Reason for discharge (include QR).....

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- 12. Have you ever been rejected for service in any of Her Majesty’s Naval, Military or Air Force or in any Commonwealth or Colonial Force? YES/NO
(If YES please state the reason).....
- 13. Have you ever been awarded a disability pension, a gratuity or a temporary or conditional allowance for disability? YES/NO
- 14. Are you now in receipt of such a pension or allowance? YES/NO
- 15. Have you received a notice setting out the questions to be answered on attestation and stating the general conditions of the engagement to be entered into by you and do you understand what it means? YES/NO
- 16. In which Corps do you wish to serve?.....
- 17. Are you willing to enlist for:
 - (a) **VEng(Short) Career.** For a term of 12 years Army service, subject to your right (exercisable at any time after you have completed 4 years’ Army service), at the end of 12 months’ notice, to be transferred to the Reserve for 6 years or the balance of your engagement? YES/NO
 - (b) **VEng (Full) Career.** For a term of 24 years Army service, subject to your right (exercisable at any time after you have completed 4 years’ Army service), at the end of 12 months’ notice, to be transferred to the Reserve for 6 years or the balance of your engagement? YES/NO
 - (c) **VEng (Long) Career.** For a term of 30 years Army service, subject to your right (exercisable at any time after you have completed 4 years’ Army service), at the end of 12 months’ notice, to be transferred to the Reserve for 6 years or the balance of your engagement? YES/NO
 - (d) **Type ‘S’ Engagement.** For a fixed term of no less than 6 months and no more than 12 years’ Army service? YES/NO
If yes, specify period (either 6 months, 1 year or number of years).....
 - (e) **Military Local Service Engagement.** For a term of 3 years’ Army Service restricted to a particular area of the United Kingdom. YES/NO

Note: If you are serving on any of the above engagements apart from the MLSE and you decide to exercise your right to leave the Army any time after 4 years’ service, you will be required to give 12 months’ notice.

Declaration

I,....., do solemnly declare that the answers made by me to the foregoing questions are true, and that I am willing to fulfil the engagement made.

Date:.....

Signature of Recruit:.....

Signature of Witness:

Note: On signing the above declaration and taking the Oath set out below, or making an affirmation to the same effect, the recruit becomes a soldier of the regular forces and subject to military law.

Oath of Allegiance

“I swear by Almighty God that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth The Second, Her Heirs and Successors, and that I will, as in duty bound, honestly and faithfully defend Her Majesty, Her Heirs and Successors in Person, Crown and Dignity, against all enemies, and will observe and obey all orders of Her Majesty, Her Heirs and Successors and of the Generals and Officers set over me.”

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EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations amend the Army Act 1955 (Part 1) (Regular Army) Regulations 1992 (“the principal Regulations”) which make provision in respect of enlistment of recruits and generally for the carrying into effect of Part 1 of the Army Act 1955. Copies of the principal Regulations are available on request in writing to the Director of Manning (Army), Trenchard Lines, Upavon, Wiltshire, SN9 6BE.

Regulation 2(2) substitutes a new form of Notice Paper for that in Schedule 2 to the principal Regulations. The Notice Paper is the prescribed form to be given to persons offering to enlist in the regular army under section 2 of the Army Act 1955.