



# Reserve Forces Act 1980

## 1980 CHAPTER 9

### PART II

#### CALL OUT AND RECALL

##### *Call out for training*

<sup>F1</sup>37 .....

#### Textual Amendments

**F1** S. 37 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s.72(5)); S.I. 1997/305, **art. 2**

#### 38 [<sup>F2</sup>Regular Reserve] , Air Force Reserve and [<sup>F3</sup>Army Reserve] training.

A person to whom this section applies by virtue of section 39 below may, in accordance with regulations made by the Secretary of State, be called out in any year for training in the United Kingdom or elsewhere—

- (a) for one period not exceeding 15 days, and
- (b) for such other periods as may be prescribed, none of which shall exceed 36 hours without the consent of the person in question,

and may while so called out be attached to and trained with any body of Her Majesty's forces.

#### Textual Amendments

**F2** 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)**

**F3** 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)**

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### [<sup>F4</sup>39 Application of s. 38.

- (1) The persons to whom section 38 above applies are (subject to subsection (3) below)—
- (a) any member of the [<sup>F2</sup>Regular Reserve] or the Air Force Reserve who became such a member on or after 1st April 1967 otherwise than in consequence of his having enlisted in the regular army or the [<sup>F5</sup>Royal Air Force] before that day;
  - (b) any member of the [<sup>F3</sup>Army Reserve] who became such a member on or after 1st April 1967 by enlistment or re-engagement or by becoming an officer; and
  - <sup>F4</sup>(c) .....

<sup>F4</sup>(2) .....

<sup>F4</sup>(3) .....]

#### Textual Amendments

- F2** 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)
- F3** 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)
- F4** S. 39 repealed (1.4.1997 except for s. 39(1)(a)(b) the repeal of which is still *prosp.*) by 1996 c. 14, ss. 131(2), 132(4), [Sch. 11](#) (with s. 72(5)); S.I. 1997/305, art. 2
- F5** Words in s. 39(1)(a) substituted (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\), s. 383\(2\), Sch. 14 para. 15](#); S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, art. 4

### 40 Preliminary training of Royal Auxiliary Air Force.

- (1) Every man of the Royal Auxiliary Air Force shall, by way of preliminary training during the first year of his original enlistment—
- (a) if so provided by Order in Council, and
  - (b) for such periods not exceeding in the whole the number of days specified by the Order in Council,
- be trained at such places within the United Kingdom and at such times as may be prescribed, and for that purpose may be called out once or more often.
- (2) Whether or not such an Order in Council has been made he shall attend the number of drills and instructional parades and fulfil the other conditions prescribed for a recruit in the Royal Auxiliary Air Force.
- (3) The requirements of this section are in addition to the requirements of this Act relating to annual training.

### 41 Annual training of Royal Auxiliary Air Force.

- (1) Every man of the Royal Auxiliary Air Force shall by way of annual training be trained for not less than 8 or more than 15 days in every year at such times and at such places within the United Kingdom as may be prescribed, and may for that purpose be called out once or more often in every year.
- (2) Every such man shall attend the number of drills and instructional parades and fulfil the other conditions relating to training prescribed for the Royal Auxiliary Air Force.

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- (3) The requirements of this section may be dispensed with in whole or in part—
- (a) as respects any unit of the Royal Auxiliary Air Force by the prescribed air officer, and
  - (b) as respects an individual man of the Royal Auxiliary Air Force, by his commanding officer subject to any general directions of the prescribed air officer.

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

C1 S. 41(1) modified (1.4.1997) by 1996 c. 14, S. 128, Sch. 8 para. 10; S.I. 1997/305 art. 2(1)

**42 Variation and cancellation of training periods for Royal Auxiliary Air Force.**

Her Majesty may by order in Council made in relation to all or any part of the Royal Auxiliary Air Force direct—

- (a) that the period of annual training in any year shall be extended to such period not exceeding 30 days as may be specified in the Order; or
- (b) that the period of annual training in any year shall be reduced to such period as to Her Majesty may seem fit; or
- (c) that the annual training in any year shall be dispensed with.

**[<sup>F6</sup>42A Application of section 23 of the Reserve Forces Act 1996**

Section 23 of the Reserve Forces Act 1996 (power to exempt persons from or relax training obligations) shall apply to persons to whom this Act applies other than members of the Royal Naval Reserve or the Royal Fleet Reserve as if in section 23 for the words “section 22” wherever they appear there were substituted the words “the Reserve Forces Act 1980”.]

**Textual Amendments**

F6 S. 42A inserted (1.4.1997) by S.I. 1997/306, reg. 21

**<sup>F7</sup>43 .....**

**Textual Amendments**

F7 S. 43 repealed (1.4.1997) by 1996 c. 14, ss. 131(2), 132(4), Sch. 11 (with s. 72(5)); S.I. 1997/305, art. 2

**<sup>F8</sup>44 Requirement as to training of Ulster Defence Regiment in Northern Ireland.**

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#### Textual Amendments

- F8** S. 44 repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), Sch. 14 para. 16, [Sch. 17](#); S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, art. 4

**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](#)