



# Reserve Forces Act 1980

## 1980 CHAPTER 9

### PART II

#### CALL OUT AND RECALL

##### *Call out for training*

#### **37 Training and exercise of Royal Naval Reserve and Royal Fleet Reserve**

- (1) The Defence Council may cause all or any of the men of the Royal Naval Reserve and the Royal Fleet Reserve to be trained on shore or on board any ships or vessels, or partly on shore and partly on board any ships or vessels.
- (2) All or any of the men of the Royal Naval Reserve and the Royal Fleet Reserve may be called out for the purpose of such training, and may be required to attend at such times and places, and may be placed under the command of such officers, as the Defence Council think fit.
- (3) No man of the Royal Naval Reserve or the Royal Fleet Reserve shall under this section be required to attend training more than 92 days in the whole in any one year.
- (4) The Secretary of State may make regulations as to the manner in which notices may be given of the times and places at which men of the Royal Naval Reserve and the Royal Fleet Reserve may be required to attend training.

#### **38 Army Reserve, Air Force Reserve and Territorial Army 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,

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

### **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 Army 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 regular air force before that day;
  - (b) any member of the Territorial Army who became such a member on or after 1st April 1967 by enlistment or re-engagement or by becoming an officer ; and
  - (c) any other person—
    - (i) who has elected in pursuance of subsection (2) below to be a person to whom section 38 applies, and
    - (ii) who has been notified in the prescribed manner that he has been accepted as such a person.
- (2) A member of—
- (a) the Army Reserve,
  - (b) the Air Force Reserve, or
  - (c) the Territorial Army,
- who is not a person to whom section 38 applies may (subject to subsection (3) below) elect irrevocably in the prescribed manner to be such a person.
- (3) The Secretary of State may by regulations provide—
- (a) for securing that persons of such descriptions as may be prescribed who but for the regulations would be persons to whom section 38 applies shall not be such persons;
  - (b) for relaxing, in such cases as may be prescribed, the liability imposed by section 38 on persons to whom that section applies.

### **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.
- (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.

#### **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.

#### **43 Voluntary training**

Nothing in sections 38 to 42 above shall be construed as preventing a man with his own consent, in addition to any other training, being called out for the purpose of duty or instruction in accordance with orders and regulations under the provisions of this Act relating to the Territorial Army and the Royal Auxiliary Air Force.

#### **44 Requirement as to training of Ulster Defence Regiment in Northern Ireland,**

- (1) Any member of the Ulster Defence Regiment may, in accordance with regulations under Part VII of this Act, be required to undergo training in Northern Ireland in any year—
  - (a) for one or more periods which shall not exceed 12 days in the aggregate and of which—
    - (i) none shall exceed 8 consecutive days, and
    - (ii) except with his consent, not more than 2 shall exceed 36 consecutive hours, and
  - (b) for such other periods as may be prescribed, none of which shall except with his consent exceed 2 hours,and may while so undergoing training be attached to and trained with any body of Her Majesty's forces which is for the time being in Northern Ireland.
- (2) Regulations under that Part may provide—

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- (a) for securing that subsection (1) above shall not apply to persons of such descriptions as may be prescribed to whom but for the regulations that subsection would apply; and
- (b) for relaxing, in such cases as may be prescribed, the liability imposed by subsection (1) on members of the force.