



# Reserve Forces Act 1980

## 1980 CHAPTER 9

### PART II

#### CALL OUT AND RECALL

##### *General provisions as to call out for permanent service*

#### 10 Call out for national danger.

- [<sup>F1</sup>(1) Any member of any reserve force other than an officer of the Royal Fleet Reserve may be called out for permanent service in any part of the world whenever an order of Her Majesty made under section 52(1)(a) of the Reserve Forces Act 1996 is in force.
- (2) Sections 50(6) and 52(3) to (6) of the Reserve Forces Act 1996 shall apply to persons subject to this section as if they were persons to whom section 52 of that Act applied.]
- (a) a proclamation shall be issued for the meeting of Parliament within 5 days; and
  - (b) Parliament shall accordingly meet and sit upon the day appointed by the proclamation; and
  - (c) Parliament shall continue to sit and act in like manner as if it had stood adjourned or prorogued to the same day.
- (4) In this section “reserve force” means any of the following bodies—
- (a) the [<sup>F2</sup>Regular Reserve] ;
  - (b) the [<sup>F3</sup>Army Reserve] ;
  - (c) the Air Force Reserve;
  - (d) the Royal Auxiliary Air Force;
  - (e) the Royal Naval Reserve <sup>F4</sup>. . .
  - [<sup>F5</sup>(ea) the Royal Fleet Reserve including its special class; and]
  - (f) the Royal Marines Reserve.
- (5) [<sup>F6</sup>An order under subsection (1) may authorise the calling out of the Ulster Defence Regiment for permanent service in Northern Ireland, and section 26 below applies for

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the purposes of this subsection as if the Ulster Defence Regiment were a reserve force within the meaning of subsection (4) above.]

- (6) In relation to a man of the Royal Auxiliary Air Force in whose case it was agreed at the time of his enlistment that he was accepted for home service only, subsection (1) has effect as if for the reference to any part of the world there were a reference to the United Kingdom, the Channel Islands and the Isle of Man.

#### Textual Amendments

- F1** S. 10(1)(2) substituted (1.4.1997) by [S.I. 1997/306, art. 2\(a\)](#)
- 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** Words in s. 10(4)(e) omitted (1.4.1997) by [S.I. 1997/306, art. 2\(b\)](#)
- F5** S. 10(4)(ea) inserted (1.4.1997) by [S.I. 1997/306, art. 2\(c\)](#)
- F6** S. 10(5) 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. 1, Sch. 17](#); [S.I. 2009/812, art. 3\(a\)\(b\)](#) (with transitional provisions in [S.I. 2009/1059](#)); [S.I. 2009/1167, art. 4](#)

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

- C1** S. 10(5) applied (with modifications) (1.7.1992) by [Army Act 1992 \(c. 39\), ss. 3\(2\), 5](#)

[<sup>F7</sup>11

- (1) A person to whom this section applies shall be liable to be called out for permanent service in any part of the world whenever an order under section 54(1) of the Reserve Forces Act 1996 is in force.
- (1A) Sections 50(6) and 54(3) to (6) of the Reserve Forces Act 1996 shall apply to persons subject to this section as if they were persons to whom section 54 of that Act applied.
- (2) The persons to whom this section applies are—
- (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>F8</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 enlisting or re-engaging in the [<sup>F3</sup>Army Reserve] or by becoming an officer of the [<sup>F3</sup>Army Reserve] ;
  - (ba) any officer of the Royal Fleet Reserve;
  - (c) any member of the special class of the Royal Fleet Reserve who became such a member on or after 1st April 1967 otherwise than in consequence of his having, before that day, been entered for non-continuous service in the naval service of Her Majesty or enlisted to serve in the royal marine forces;
- (3) In subsection (2) above the references in paragraphs (a) and (c) to becoming a member of a reserve or class include references to remaining a member of it by virtue of a new engagement or other agreement.]

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**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\(a\)](#)
- F7** S. 11 substituted (1.4.1997) by [S.I. 1997/306, art. 3](#)
- F8** Words in s. 11(2)(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. 2](#); [S.I. 2009/812, art. 3\(a\)\(b\)](#) (with transitional provisions in [S.I. 2009/1059](#)); [S.I. 2009/1167, art. 4](#)

**F9** **12** .....

**Textual Amendments**

- F9** S. 12 repealed (1.4.1997) by [1996 c. 14, s. 131\(2\), Sch. 11](#) (with [s. 72\(5\)](#)); [S.I. 1997/305, art. 2](#)

**[F10** **13** **Provisions supplemental to ss. 10 to 12.**

**F10**(1) .....

- (2) A man of the [<sup>F3</sup>Army Reserve] or the Royal Auxiliary Air Force who is called out for permanent service shall, subject to subsections (3) and (4) below, be liable to serve—
  - (a) until Her Majesty no longer requires his services, or
  - (b) until the expiry of his term of service in that reserve or force,whichever first occurs, and a member of the special class of the Royal Fleet Reserve who is called out for permanent service by virtue of section 11(1) shall be under a like liability to serve.
- (3) The period or aggregate of the periods during which a man is called out for service by virtue of section 11(1) during the term of his current engagement shall not without his consent exceed 12 months.
- (4) Where the time at which (apart from this subsection)—
  - (a) the term of service in the special class of the Royal Fleet Reserve of a man of that class would expire, or
  - (b) a man of the [<sup>F3</sup>Army Reserve] would be entitled to discharge,occurs while he is called out for service by virtue of section 11(1), he may be required to continue in service under that subsection for such further period as may be ordered by—
  - (i) the Defence Council, or
  - (ii) an officer designated for the purposes of this subsection by the Defence Council,but the period so ordered (together with the period or aggregate of the periods of the man's service under section 11(1) apart from this subsection during the term of his current engagement) shall not exceed 12 months.]

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#### Textual Amendments

- 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)
- F10** S. 13 repealed (1.4.1997 except so far as it relates to s. 13(2)-(4) 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](#)

**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](#)