



# Reserve Forces Act 1980

## 1980 CHAPTER 9

### PART II

#### CALL OUT AND RECALL

##### *Other provisions as to call out for service*

#### **16 Permanent service call out of naval and marine reserves**

- (1) Every officer and man serving in—
- (a) the Royal Naval Reserve and the Royal Fleet Reserve, except a man of the special class of the Royal Fleet Reserve to whom section 11 above applies,
  - (b) the Royal Marines Reserve,
- is liable, during the whole of that service, to be called out for permanent service in the event of actual or apprehended attack on the United Kingdom.

The reference in this subsection to the United Kingdom shall be construed as if that expression included the Channel Islands and the Isle of Man.

- (2) The provisions of subsection (1) above are in addition to, and not in substitution for, the provisions of any other enactment under which officers or men of the reserves mentioned in that subsection are liable to be called into permanent service.

#### **17 Naval and marine reserve service under ss. 10 and 16**

- (1) Every officer and man of the Royal Naval Reserve, the Royal Fleet Reserve and the Royal Marines Reserve called out for permanent service by virtue of section 10 or section 16 above shall be—
- (a) liable to that service for a term of 3 years from the time of his coming into such service ;
  - (b) entitled to be discharged from that service at the expiry of that term.

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*Status: This is the original version (as it was originally enacted).*

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- (2) If in any emergency Her Majesty sees fit She may, by order signified under the hand of the Secretary of State, provide that at the date of the order the officers and men of the Royal Naval Reserve and the Royal Fleet Reserve in permanent service by virtue of section 10 or section 16 shall continue in that service for a period of 5 years from the date of their respectively coming into that service, if their services be so long required.
- (3) The officers and men mentioned in subsection (2) above shall at the date of the order—
  - (a) be liable to such permanent service accordingly ; and
  - (b) not be entitled to claim their discharge during that period.
- (4) Where any officer or man of the Royal Naval Reserve and the Royal Fleet Reserve—
  - (a) is called into permanent service by virtue of section 10 or section 16, and
  - (b) is detained in that service for a period of less than 5 years,
 he shall, during the period of 5 years from the date of his joining the reserve be liable from time to time to be again called into that service, and to serve accordingly for such period as with his former such service will make up a period of 5 years in that service.

## **18 Permanent service call out of Army Reserve**

- (1) Any man of the Army Reserve (whether he entered the reserve on transfer or re-engagement or on being enlisted or on being deemed to be enlisted) shall during the whole of his service in that reserve be liable to be called out for permanent service on home defence service.
- (2) Where a man of the Army Reserve is called out for permanent service—
  - (a) he may be appointed to any corps ;
  - (b) subsection (3) of section 3 of the Army Act 1955 shall apply to him as it applies to a soldier of the regular forces.
- (3) The number of men for the time being called out under this section shall not be reckoned in the numbers for the time being authorised by Parliament for the regular forces.

## **19 Duration of Army Reserve permanent service**

- (1) Subject to this section and section 13(3) above, a man of the Army Reserve when called out for permanent service shall be liable to serve until Her Majesty no longer requires his services.
- (2) No man called out for permanent service shall be required to serve for a period exceeding in the whole the remainder unexpired of his term of service in the Army Reserve.
- (3) Sections 9 and 13 of the Army Act 1955, so far as they relate to discharge, shall apply to men of the Army Reserve called out for permanent service as they apply to soldiers of the regular forces, and nothing in subsection (2) above shall prejudice the operation of sections 9 and 13 as applied by this subsection.

## **20 Permanent service call out of Air Force Reserve**

- (1) Any man of the Air Force Reserve (whether he entered the reserve on transfer or re-engagement or on being enlisted or on being deemed to be enlisted) shall during the

whole of his service in that reserve be liable to be called out for permanent service on home defence service.

- (2) The number of men for the time being called out under this section shall not be reckoned in the numbers for the time being authorised by Parliament for the regular air force.

## **21 Duration of Air Force Reserve permanent service**

- (1) Subject to this section and section 13(3) above, a man of the Air Force Reserve when called out for permanent service shall be liable to serve until Her Majesty no longer requires his services.
- (2) No man called out for permanent service shall be required to serve for a period exceeding in the whole the remainder unexpired of his term of service in the Air Force Reserve, subject to section 69 below.
- (3) Sections 9 and 13 of the Air Force Act 1955, so far as they relate to discharge, shall apply to men of the Air Force Reserve called out for permanent service as they apply to airmen of the regular air force, and nothing in subsection (2) above and section 69 shall prejudice the operation of sections 9 and 13 as applied by this subsection.

## **22 Call out of Territorial Army and Royal Auxiliary Air Force for home defence service**

Every officer and man of the Territorial Army and of the Royal Auxiliary Air Force is liable to be called out for home defence service notwithstanding that—

- (a) the Territorial Army or that part to which he belongs has not been called out for permanent service by virtue of section 10(1) or section 11(1) above, or
- (b) the Royal Auxiliary Air Force or that part to which he belongs has not been called out for permanent service by virtue of section 10(1).

## **23 Army and air force reserves in aid of civil power**

- (1) The Secretary of State may, at any time when occasion appears to require, call out the whole or so many as he thinks necessary of the men of the Army Reserve or the Air Force Reserve to aid the civil power in the preservation of the public peace.
- (2) For the purpose mentioned in subsection (1) above, and on the requisition in writing of any justice of the peace—
  - (a) any officer commanding Her Majesty's forces in any town or district may call out the men of the Army Reserve who are resident in the town or district, or so many of them as he thinks necessary ; or
  - (b) any officer commanding the regular air force in any town or district may call out the men of the Air Force Reserve who are resident in the town or district, or so many of them as he thinks necessary.

## **24 Permanent service call out of Ulster Defence Regiment**

The Ulster Defence Regiment is liable to be called out for permanent service in Northern Ireland in defence of the United Kingdom against actual or apprehended attack.

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*Status: This is the original version (as it was originally enacted).*

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## **25 Emergency service call out of Ulster Defence Regiment**

- (1) Any officer authorised in accordance with this section to exercise the powers conferred by this subsection may (subject to that authority) call out the Ulster Defence Regiment or any part of it for emergency service in Northern Ireland if, and for so long as, it appears to that officer to be necessary or expedient for the defence of life or property in Northern Ireland against armed attack or sabotage, whether actual or apprehended.
- (2) The Secretary of State may—
  - (a) grant authority in writing to any designated officer of the regular forces within the meaning of the Army Act 1955 of a rank not lower than major to exercise the powers conferred by subsection (1) above, and
  - (b) by that authority authorise that officer in turn to authorise any other officer designated by him (being an officer of the regular forces within the meaning of that Act of 1955 of a rank not lower than major) to exercise those powers, and any authorisation in pursuance of this subsection may be given either in general terms or subject to specified limitations.