



# Reserve Forces Act 1980

## 1980 CHAPTER 9

### PART III U.K.

#### NAVAL AND MARINE RESERVES

##### *Officers of reserve to the Royal Navy*

**F1** 45 ..... U.K.

#### Textual Amendments

**F1** S. 45 repealed (1.4.1997) by 1996 c. 14, ss. 131(2), 132(4), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

**46** ..... U.K.

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

**C1** S. 46 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

##### *General provisions as to the naval and marine reserves*

**47** **False answers on enlistment.** U.K.

If a person offering himself to be entered for service in any of the naval reserve forces—

- (a) knowingly makes a false answer in connection with his entry into such service, and

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- (b) that answer is to a question put to him in that connection by, or by the direction of, any officer or other person authorised by regulations made by the Defence Council to enter persons for such service,

he shall be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding 3 months or to a fine not exceeding [<sup>F2</sup>level 1 on the standard scale].

#### Textual Amendments

- F2** Words substituted by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [ss. 38, 46](#) and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), [ss. 289F, 289G](#) and (N.I.) [S.I. 1984/703 \(N.I. 3\)](#), [arts. 5, 6](#)

#### <sup>F3</sup>48 **Void enlistment in [<sup>F3</sup>Royal Marines or regular army] . U.K.**

Where any officer or other person enlists a man to serve in [<sup>F4</sup>the Royal Marines or the regular army] who at the time of such enlisting is entered to serve as a man of the Royal Naval Reserve, Royal Fleet Reserve or Royal Marines Reserve that enlisting shall be null and void.

#### Textual Amendments

- F3** Words in s. 48 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. 17\(a\)](#); [S.I. 2009/812](#), art. 3(a)(b) (with transitional provisions in [S.I. 2009/1059](#)); [S.I. 2009/1167](#), art. 4
- F4** Words in s. 48 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. 17\(b\)](#); [S.I. 2009/812](#), art. 3(a)(b) (with transitional provisions in [S.I. 2009/1059](#)); [S.I. 2009/1167](#), art. 4

#### <sup>F5</sup>49 ..... U.K.

#### Textual Amendments

- F5** S. 49 repealed (1.4.1997) by [1996 c. 14](#), s. 131(2), [Sch. 11](#) (with s. 72(5)); [S.I. 1997/305](#), [art. 2](#)

#### [50 **Term of service in Royal Naval Reserve and Royal Fleet Reserve. U.K.**

- (1) Every man joining the Royal Naval Reserve shall be entered for a term of 5 years, and shall continue subject to this Act as a man of that reserve during and for no longer than that term, except as otherwise provided by this Act.
- (2) A man entitled to claim his discharge under subsection (1) above shall continue subject to the provisions of this Act as a man of the Royal Naval Reserve until actually discharged from that reserve by the Defence Council, or by some officer duly appointed by the defence Council to give such discharges.
- (3) The term of service of a man joining the Royal Fleet Reserve shall be regulated—

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- (a) in the case of a pensioner entitled to his pension subject to a condition of service in the Royal Fleet Reserve, by the conditions attached to the pension; and
- (b) in any other case, by the terms of his enlistment.

<sup>F6</sup>(4) For the avoidance of doubt, it is declared that subsections (1) and (3) above do not apply to any man being entered or re-entered for service in the Royal Naval Reserve or the Royal Fleet Reserve if, after being so entered or re-entered for service, he would not be a transitional member as defined in paragraph 3 of Schedule 9 to the Reserve Forces Act 1996.]

**Textual Amendments**

**F6** S. 50(4) inserted (1.4.1997) by [S.I. 1997/306](#), [reg. 22](#)

<sup>F7</sup>**51** ..... **U.K.**

**Textual Amendments**

**F7** S. 51 repealed (1.4.1997) by [1996 c. 14](#), [s. 131\(2\)](#), [Sch. 11](#) (with [s. 72\(5\)](#)); [S.I. 1997/305](#), [art. 2](#)

<sup>F8</sup>**52** ..... **U.K.**

**Textual Amendments**

**F8** S. 52 repealed (1.4.97) by [1996 c. 14](#), [s. 131\(2\)](#), [Sch. 11](#) (with [s. 72\(5\)](#)); [S.I. 1997/305](#), [art. 2](#)

<sup>F9</sup>**53** ..... **U.K.**

**Textual Amendments**

**F9** S. 53 repealed (1.4.1997) by [1996 c. 14](#), [s. 131\(2\)](#), [Sch. 11](#) (with [s. 72\(5\)](#)); [S.I. 1997/305](#), [art. 2](#)

<sup>F10</sup>**54** ..... **U.K.**

**Textual Amendments**

**F10** S. 54 repealed (1.4.1997) by [1996 c. 14](#), [s. 131\(2\)](#), [Sch. 11](#) (with [s. 72\(5\)](#)); [S.I. 1997/305](#), [art. 2](#)

**55 Admission to Greenwich Hospital. U.K.**

- (1) Every man of the Royal Naval Reserve, the Royal Fleet Reserve and the Royal Marines Reserve, under such regulations as may be made by the secretary of State, shall be—
  - (a) eligible for admission to the Royal Hospital at Greenwich; and

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- (b) thereupon entitled to the same privileges and advantages as those who are or have been in Her Majesty's navy.
- (2) The Greenwich Hospital Acts 1865 to 1967 have effect as if references in those Acts to any naval reserve force included references to the Royal Marines Reserve.

**F1156** ..... **U.K.**

#### Textual Amendments

**F11** S. 56 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

#### *Special class of Royal Fleet Reserve*

#### **57 Special class of Royal Fleet Reserve. U.K.**

- (1) The special class of the Royal Fleet Reserve shall consist of—
- (a) men who, on engaging or re-engaging in the Royal Fleet Reserve or during a term of engagement or re-engagement in that reserve agree in writing—
    - (i) to be entered in or transferred to that class, and
    - (ii) to undertake the liability for service in that class specified in this Act,
 or
  - (b) men who, having before 16th December 1949 been entered for non-continuous service in the naval service of Her Majesty or enlisted to serve in the royal marine forces, on transfer to the Royal Fleet Reserve or during their service in that reserve pursuant to such transfer agree in writing—
    - (i) to be entered in or transferred to that class, and
    - (ii) to undertake the liability for service in that class specified in this Act;
 or
  - (c) men entered in that class in accordance with the following provisions of this section.
- (2) Any man who—
- (a) having been entered for non-continuous service in the naval service of Her Majesty on or after 16th December 1949, or
  - (b) having been enlisted to serve in the royal marine forces on or after that date, is transferred to the Royal Fleet Reserve shall, if on his transfer he was designated by the Defence Council or an officer designated by the Defence Council as a man to whom this subsection applies, be entered in that class of the reserve and shall be liable to serve in that class as specified by this Act.
- (3) The following provisions shall have effect as to the duration of service in the special class of the Royal Fleet Reserve—
- (a) a man entered in that class or transferred to it in pursuance of an agreement under paragraph (a) of subsection (1) above shall be liable to serve in that class until the end of his term of engagement or re-engagement referred to in that paragraph;
  - (b) a man entered in or transferred to the special class in pursuance of an agreement under paragraph (b) of subsection (1) shall be liable to serve in the

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- special class until the end of his term of service in the Royal Fleet Reserve in pursuance of his transfer to that reserve referred to in that paragraph (b); and
- (c) a man entered in the special class by virtue of the provisions of subsection (2) above shall be liable to serve in that class until the expiry of the first 12 months of his service in the Royal Fleet Reserve and shall then be transferred from the special class to the general body of the reserve.
- (4) If a man to whom paragraph (c) of subsection (3) above applies agrees in writing to continue to serve in the special class during the residue of the term for which he is transferred to the Royal Fleet Reserve, he shall be liable to serve in that class in accordance with the agreement.
- (5) An agreement made for the purposes of subsection (1) or subsection (4) above may be revoked by 3 months' written notice.

## 58 Transfers to Royal Fleet Reserve. **U.K.**

References in section 57 above to transfer to the Royal Fleet Reserve shall be construed—

- (a) in relation to a man entered for non-continuous service in the naval service of Her Majesty, as references to being entered in the Royal Fleet Reserve in pursuance of a liability incurred under the terms of his engagement, in accordance with regulations made by the Defence Council under section 2 of the <sup>M1</sup>Armed Forces Act 1966 to serve in the Royal Fleet Reserve after the completion of his term of service in the navy; and
- (b) in relation to a man enlisted to serve in the royal marine forces, as references to being entered in the Royal Fleet Reserve in pursuance of a liability incurred under the terms of his engagement to serve in the Royal Fleet Reserve after the completion of his term of service in the Royal Marines.

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### Marginal Citations

M1 1966 c. 45.

*Pay, pensions and other payments in respect of naval and marine reserves*

## <sup>F12</sup>59 ..... **U.K.**

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### Textual Amendments

F12 S. 59 repealed (1.4.1997) by 1996 c. 14, s. 131(2), Sch. 11 (with s. 72(5)); S.I. 1997/305, art. 2

## <sup>F13</sup>60 ..... **U.K.**

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### Textual Amendments

F13 S. 60 repealed (1.4.1997) by 1996 c. 14, s. 131(2), Sch. 11 (with s. 72(5)); S.I. 1997/305, art. 2

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F14 **61** ..... **U.K.**

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**Textual Amendments**

**F14** S. 61 repealed (1.4.1997) by 1996 c. 14, s. 131(2), **Sch. 11** (with s. 72(5)); S.I. 1997/305, **art. 2**

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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](#)