



Reserve Forces Act 1980

1980 CHAPTER 9

PART IV

ARMY RESERVE AND AIR FORCE RESERVE

Miscellaneous

82 Transfer outside United Kingdom

(1) Where in pursuance of—

- (a) the proviso to subsection (2) of section 12 of the Army Act 1955, a soldier of the regular forces, or
- (b) the proviso to subsection (2) of section 12 of the Air Force Act 1955, an airman of the regular air force,

is transferred to the reserve outside the United Kingdom he shall serve in that reserve subject to such conditions as to residence, as to liability to be called out for training or for permanent service or in aid of the civil power, or as to any other matters, as may be prescribed by regulations under this Act.

(2) The provisions of this Act relating to the Army Reserve or to the Air Force Reserve shall apply to a man transferred in pursuance of this section subject to such adaptations as may be so prescribed.

83 Postponement of discharge or transfer to reserve

(1) In the application to a man to whom this subsection applies of—

- (a) section 9 of the Army Act 1955, and
- (b) section 9 of the Air Force Act 1955,

(which among other things provide for postponement of discharge or transfer to the reserve when men of the reserve are called out for permanent service), the references to men of the reserve being called out for permanent service shall (notwithstanding anything in section 225(2) of the Army Act 1955 or section 223(2) of the Air Force

Status: This is the original version (as it was originally enacted).

Act 1955) include references to such men being called out under section 11 above or paragraph 16(1) to (6) of Schedule 8 to this Act.

- (2) Subsection (1) above applies to a man of the regular army, the Army Reserve, the regular air force or the Air Force Reserve who—
- (a) is such a man in consequence of his having enlisted or re-engaged in one of those forces on or after 1st April 1967; or
 - (b) has elected irrevocably in the prescribed manner that subsection (1) shall apply to him.
- (3) In section 9 of the Army Act 1955, in its application to a man who enters into an agreement on or after 1st January 1967 in pursuance of section 14(1) above and is called into service in pursuance of the agreement, the references to men of the reserve being called out for permanent service shall (notwithstanding anything in section 225(2) of that Act of 1955) include references to such men being called out under section 11 or paragraph 16 (1) to (3) of Schedule 8.

84 Exemption from tolls, etc.

For the purposes of—

- (a) section 184 of the Army Act 1955,
- (b) section 184 of the Air Force Act 1955, and
- (c) all other enactments relating to the duties, tolls and ferries which are mentioned in those sections,

officers and men of the Army Reserve or the Air Force Reserve, when going to or returning from any place at which they are required to attend, and for non-attendance at which they are liable to be punished, shall be deemed to be officers and soldiers of the regular military forces on duty, or officers and airmen of the regular air force on duty, as the case may be.

85 Service of notices for Army Reserve and Air Force Reserve

The following provisions have effect with respect to notices required in pursuance of orders or regulations made under this Act to be given to men of the Army Reserve or the Air Force Reserve—

- (a) a notice may be served on any such man either by being sent by post to his last registered place of abode or by being served in the prescribed manner;
- (b) evidence of the delivery at the last registered place of abode of a man of the Army Reserve or of the Air Force Reserve, as the case may be, of a notice, or of a letter addressed to the man containing a notice, shall be evidence that the notice was brought to his knowledge;
- (c) the publication of a notice in the prescribed manner in the parish in which the last registered place of abode of a man of the Army Reserve, or of the Air Force Reserve, as the case may be, is situate shall be sufficient notice to him, notwithstanding that a copy of the notice is not served on him.

86 Orders and regulations for Army Reserve and Air Force Reserve

- (1) Where by this Part of this Act or paragraph 17 of Schedule 8 to this Act, power is conferred to provide for any matter relating to the Army Reserve or the Air Force Reserve by orders or regulations under this Act—

- (a) Her Majesty may, by order signified under the hand of the Secretary of State, make orders, and
 - (b) subject to the provisions of any such order, the Secretary of State may make general or special regulations,
- with respect to the matter in question.
- (2) Where by those provisions power is conferred to provide for any matter by regulations under this Act, the Secretary of State may make general or special regulations with respect to that matter.
- (3) All orders and general regulations made under this section shall be laid before Parliament after being made.

87 Interpretation of Part IV

In this Part of this Act, except where the context otherwise requires.—

"absence without leave" and "desertion" mean respectively absence without leave contrary to subsection (1) or (3) of section 73 above and desertion contrary to subsection (1) of that section, and "absentee without leave" and "deserter" shall be construed accordingly ;

"airman" includes a warrant officer and a non-commissioned officer;

"soldier" includes a warrant officer and a non-commissioned officer; and

"special reservist" means a man of the Air Force Reserve who is serving in that reserve as a special reservist pursuant to section 68 above.