



Reserve Forces Act 1980

1980 CHAPTER 9

PART VII

ULSTER DEFENCE REGIMENT

Membership of Ulster Defence Regiment

139 Enrolment, re-engagement and resignation.

[^{F1}(1) The provisions as to the enrolment, re-engagement and resignation of members of the Ulster Defence Regiment (otherwise than as officers) are—

- (a) a person volunteering and accepted for service in that force shall be enrolled for a prescribed period not exceeding 3 years;
- (b) a member of that force may, if he so desires and is accepted for re-engagement, re-engage from time to time for a further such period;
- (c) a member of that force may if he so desires cease to be a member of it upon the expiry of one month's notice of his desire so to cease given in writing to his commanding officer.

^{F2}(2)]

Textual Amendments

- F1** S. 139 repealed (28.3.2009 for specified purposes) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), [Sch. 14 para. 18](#), [Sch. 17](#); [S.I. 2009/812](#), art. 3(a)(b) (with transitional provisions in [S.I. 2009/1059](#))
- F2** S. 139(2) repealed (1.7.1992) by [Army Act 1992 \(c. 39\)](#), [ss. 3\(1\), 5](#)

Modifications etc. (not altering text)

- C1** S. 139(1) applied (with modifications) (1.7.1992) by [Army Act \(c. 39\)](#), [ss. 3\(2\), 5](#)

Status: Point in time view as at 28/03/2009.

Changes to legislation: Reserve Forces Act 1980, Part VII is up to date with all changes known to be in force on or before 21 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

140 Orders and regulations as to ^{F3}pensions and other grants] .

(1) ^{F4}The conditions as to pensions and other grants in respect of death or disablement arising out of service in the Ulster Defence Regiment shall be such as may be prescribed by orders or regulations.

(1A) The reference in subsection (1) to service in the Ulster Defence Regiment includes service in the regular army by a relevant person during the relevant period.

(1B) In subsection (1A)—

“regular army” has the meaning given by section 374 of the Armed Forces Act 2006;

“relevant person” means a person who, immediately before 1 July 1992, was a member of the Ulster Defence Regiment;

“relevant period”, in relation to a relevant person, means the period beginning with 1 July 1992 and ending at the end of his term of service which was current on that date.]

(2)

(3) In this ^{F5}section] —

(a) references to orders are to orders of Her Majesty signified under the hand of the Secretary of State, and

(b) references to regulations are to regulations made by the Secretary of State, and any orders or regulations under this ^{F6}section] shall be laid before Parliament after being made.

Textual Amendments

F3 Words in s. 140 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. 19\(a\)](#); S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, art. 4

F4 S. 140(1)-(1B) substituted for s. 140(1)(2) (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. 19\(b\)](#); S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, art. 4

F5 Word in s. 140(3) 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. 19\(c\)\(i\)](#); S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, art. 4

F6 Word in s. 140(3) 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. 19\(c\)\(ii\)](#); 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)

C2 Ss. 140-144 applied (with modifications) (1.7.1992) by [Army Act 1992 \(c. 39\)](#), [ss. 3\(2\)](#), 5

Military status of members of Ulster Defence Regiment

141 Membership of armed forces and application of military law.

^{F7}Persons of the Ulster Defence Regiment shall be members of the armed forces of the Crown, and—

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- (a) any holder of a land forces commission who is for the time being assigned for duty with the Ulster Defence Regiment, and any other member of that force when serving on its permanent staff, shall be subject to military law;
- (b) any member of the Ulster Defence Regiment to whom paragraph (a) above does not apply shall be subject to military law—
 - (i) at all times when called out for service under sections 10, 24, 25 and 44 above or when undergoing training whether in pursuance of an obligation under those sections or not; and
 - (ii) at any other time when he is in possession, or when, in pursuance of any order given or permission granted by a superior officer of his, he is required or authorised to be in possession, of any arms or ammunition or of any prescribed description of equipment, being arms, ammunition or equipment belonging to Her Majesty.]

Textual Amendments

F7 Ss. 141-144 repealed (28.3.2009 for specified purposes) by [Armed Forces Act 2006 \(c. 52\), s. 383\(2\), Sch. 14 para. 20, Sch. 17](#); S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)

Modifications etc. (not altering text)

C3 Ss. 140-144 applied (with modifications) (1.7.1992) by [Army Act 1992 \(c. 39\), ss. 3\(2\), 5](#)

142 Application of Army Act.

[^{F7}References in Parts II to V of the ^{M1}Army Act 1955 to the regular forces shall include references to persons of the Ulster Defence Regiment while subject to military law, but any other references in that Act to the regular forces shall not include references to the Ulster Defence Regiment.]

Textual Amendments

F7 Ss. 141-144 repealed (28.3.2009 for specified purposes) by [Armed Forces Act 2006 \(c. 52\), s. 383\(2\), Sch. 14 para. 20, Sch. 17](#); S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)

Modifications etc. (not altering text)

C4 Ss. 140-144 applied (with modifications) (1.7.1992) by [Army Act 1992 \(c. 39\), ss. 3\(2\), 5](#)

Marginal Citations

M1 1955 c. 18.

Offences

143 Failure to attend or comply.

- [^{F7}(1) Any member of the Ulster Defence Regiment who—
- (a) when required by or in pursuance of regulations making any such provision as is mentioned in section 44 above to attend at any place fails without reasonable excuse to attend in accordance with the requirement, or

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(b) fails without reasonable excuse to comply with orders or regulations under this Part of this Act.

shall, whether otherwise subject to military law or not, be guilty of an offence and liable on conviction by court-martial to a fine not exceeding [^{F8}£50].

(2) That offence shall, for all purposes of and incidental to the trial of the offender, including the summary disposal of the case otherwise than by court-martial, be deemed to be an offence under the Army Act 1955.]

Textual Amendments

- F7** Ss. 141-144 repealed (28.3.2009 for specified purposes) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), Sch. 14 para. 20, [Sch. 17](#); S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)
- F8** Figure substituted by [Armed Forces Act 1981 \(c. 55, SIF 7:1\)](#), s. 12

Modifications etc. (not altering text)

- C5** Ss. 140-144 applied (with modifications) (1.7.1992) by [Army Act 1992 \(c. 39\)](#), ss. 3(2), 5

144 Assistance in desertion, etc.

[^{F7}(1) Any person who, in Northern Ireland or elsewhere—

- (a) procures or persuades any member of the Ulster Defence Regiment to desert within the meaning of section 37 of the Army Act 1955 or to absent himself without leave, or
- (b) knowing that any member of that force is about to desert as mentioned in paragraph (a) above or to absent himself without leave, assists him in so doing, or
- (c) knowing any person to be a deserter within the meaning of that section 37 or an absentee without leave from that force, procures or persuades or assists him to remain such a deserter or absentee, or assists in his rescue from custody.

shall be liable—

- (i) on summary conviction to a fine not exceeding the statutory maximum or to imprisonment for a term not exceeding 3 months or to both;
- (ii)^{F9}
- (iii) on conviction on indictment ^{F10}to a fine or to imprisonment for a term not exceeding 2 years or to both.

^{F11}(2)]

Textual Amendments

- F7** Ss. 141-144 repealed (28.3.2009 for specified purposes) by [Armed Forces Act 2006 \(c. 52\)](#), s. 383(2), Sch. 14 para. 20, [Sch. 17](#); S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)
- F9** S. 144(1) para. (ii) repealed by S.I. 1984/703 (N.I. 3), art. 19(2), [Sch. 7](#)
- F10** Words repealed by S.I. 1984/703 (N.I. 3), art. 19(2), [Sch. 7](#)
- F11** S. 144(2) repealed (5.11.1993) by [1993 c. 50](#), s. 1(1), [Sch. 1 Pt. XIV](#) group2

Modifications etc. (not altering text)

- C6** Ss. 140-144 applied (with modifications) (1.7.1992) by [Army Act 1992 \(c. 39\)](#), ss. 3(2), 5

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