



# Reserve Forces Act 1980

## 1980 CHAPTER 9

### PART VIII

#### MISCELLANEOUS AND SUPPLEMENTAL

##### *Other supplemental provisions*

#### 156 Interpretation.

(1) In this Act, except where the context otherwise requires—

<sup>F1</sup>  
...

“home defence service” means military or air force service in any place in the United Kingdom, the Channel Islands or the Isle of Man in defence of the United Kingdom or those islands against actual or apprehended attack;

“man”, in relation to—

- (a) the naval forces, means a person of or below the rate of warrant officer;
- (b) the military or air forces, includes a warrant officer and non-commissioned officer;

<sup>F2</sup>  
...

“prescribed” [<sup>F3</sup>(except in subsections (3) to (5) and (7) of sections 19A and 21A and in section 140)] means prescribed by orders or regulations made under [<sup>F4</sup>the Reserve Forces Act 1996];

[<sup>F5</sup>“regular air force” has the same meaning as in the <sup>M1</sup>Air Force Act 1955.]

[<sup>F6</sup>“regular army” means the regular forces within the meaning of the <sup>M2</sup>Army Act 1955, but in sections 11(4) and (5), 15, 39(2), 83(1) and (2) above, and paragraph 19 of Schedule 8 to this Act, does not include the Royal Marines;]

[<sup>F6</sup>“the regular army” has the meaning given by section 374 of the Armed Forces Act 2006.]

<sup>F7</sup>  
.....

(2) [<sup>F8</sup>Except where the context otherwise requires, other expressions in this Act—

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- (a) relating to the Army Reserve and the Territorial Army, have the same meanings as in the Army Act 1955;
  - (b) relating to the Air Force Reserve and the Royal Auxiliary Air Force, have the same meanings as in the Air Force Act 1955.]
- (3) This Act, [<sup>F9</sup>except so much of it as relates to the Royal Fleet Reserve and the Royal Marines Reserve], applies to women as it applies to men.
- (4) In this Act—
- (a) in relation to the definition of “home defence service” in subsection (1) above, and
  - (b) for the purposes of sections 10(6), 68(3) and 96(3) above, service on any flight of which the points of departure and intended return are within the boundaries of the United Kingdom, the Channel Islands, and the Isle of Man, or of the territorial waters of the United Kingdom and those islands, shall be deemed to be service within the United Kingdom notwithstanding that the flight may in its course extend beyond those boundaries.
- (5) The expression “magistrates’ court”, in the application of this Act—
- (a) to Scotland, shall be construed as a reference to the sheriff sitting as a court of summary jurisdiction;
  - (b) to Northern Ireland, shall be construed as a reference to a court of summary jurisdiction.

#### Textual Amendments

- F1** Definition in s. 156(1) repealed (1.7.1997) by 1997 c. 23, ss. 8(4),9(2), Sch. 3 (with s. 7(3), Sch. 2 para. 6)
- F2** Definition in s. 156(1) omitted (1.1.1999) by virtue of S.I. 1998/3068, reg. 11, Sch. para. 8(1)(b)
- F3** Words in s. 156(1) inserted (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. 23(2)(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 definition in s. 156(1) substituted (1.4.1997) by S.I. 1997/306, reg. 27
- F5** Words in s. 156(1) omitted (28.3.2009 for specified purposes) by virtue of Armed Forces Act 2006 (c. 52), s. 383(2), Sch. 14 para. 23(2)(b); S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)
- F6** Words in s. 156(1) 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. 23(2)(c); S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, art. 4
- F7** Definition repealed by Reserve Forces Act 1982 (c. 14, SIF 7:2), s. 1(1)(a)
- F8** S. 156(2) repealed (28.3.2009 for specified purposes) by Armed Forces Act 2006 (c. 52), s. 383(2), Sch. 14 para. 23(3), Sch. 17; S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059)
- F9** Words “except so much of it as relates to the Royal Fleet Reserve and the Royal Marines Reserve” substituted (*retrospectively*) for words “so far as it relates to the military and air forces” by Reserve Forces Act 1982 (c. 14, SIF 7:2), s. 20(3)

#### Marginal Citations

- M1** 1955 c. 19.
- M2** 1955 c. 18.

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## **157 Saving and transitional provisions, consequential amendments and repeals.**

- (1) Subject to the saving and transitional provisions contained in Schedule 8 to this Act—
  - (a) the enactments specified in Schedule 9 to this Act have effect subject to the amendments (being amendments consequent on this Act) specified in that Schedule, and
  - (b) the enactments specified in Part I of Schedule 10 to this Act (repeal of obsolete enactments) and those specified in Part II of that Schedule (consequential repeals) are repealed to the extent specified in the third column of that Schedule,but nothing in Schedule 8 or in Schedule 9 shall be taken as prejudicing the operation of sections 15 to 17 of the <sup>M3</sup>Interpretation Act 1978 (which relate to the effect of repeals).
- (2) Paragraphs 15 to 19 of Schedule 8 contain provisions made transitory by operation of the <sup>M4</sup>Reserve Forces Act 1966.

### **Marginal Citations**

- M3** 1978 c. 30.  
**M4** 1966 c. 30.

## **158 Citation, extent and commencement.**

- (1) This Act may be cited as the Reserve Forces Act 1980.
- (2) This Act extends to Northern Ireland.
- (3) Her Majesty may by Order in Council direct that any of the provisions of this Act shall extend to the Isle of Man, subject to such exceptions and modifications, if any, as may be specified in the Order.
- (4) This Act shall commence on the expiry of the period of one month beginning on the date of its passing.

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

- C1** S. 158(3) extended by Reserve Forces Act 1982 (c. 14, SIF 7:2), s. 3(3)

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