

SCHEDULES

SCHEDULE 1

Section 14.

ADDITIONAL PROVISIONS IN RELATION TO CALL OUT UNDER SPECIAL AGREEMENT

Special agreements

- 1 (1) Any agreement for the purposes of section 14 above shall be made with respect to such period of 12 months as may be specified in that agreement and, without prejudice to the making of a further agreement, shall cease to be in force at the expiry of that period.
- (2) An agreement for the purposes of section 14 may be revoked at any time by 3 months' notice in writing, but shall not cease to be in force until the expiry of that notice.

Notices

- 2 (1) A notice to any person under section 14(1) above shall specify the time and place at which he is to present himself for service in accordance with the notice and may be revoked or varied by a subsequent notice under that subsection.
- (2) Any such notice shall be deemed to have been duly served on the person to whom it is directed if—
 - (a) it is delivered to him personally ; or
 - (b) it is sent by registered post or the recorded delivery service addressed to him at his latest address known to the military authorities.

Length of call out

- 3 (1) The term for which a person may be called out under section 14(1) above shall be such a term (consistent with sub-paragraph (2) below) beginning on such date falling within the period specified in the agreement as may be specified in the notice, whether or not any of that term falls after the date when the agreement ceases to be in force.
- (2) Subject to paragraphs 4 to 6 below, the term, or, if more than one, the aggregate of the terms, for which any person is called out for service under section 14(1) in pursuance of any one agreement shall not exceed 6 months.

Calculation of length of service

- 4 If, in the case of any person, at the time when the term of any service by him under section 14 above would otherwise be completed, that person has become liable to be proceeded against for an offence against the Naval Discipline Act 1957, military law or air-force law, that term shall not be completed until he has been tried or otherwise dealt with for that offence and has undergone any punishment awarded

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for that offence, or, if at that time punishment for such an offence as is mentioned above has already been awarded, until he has undergone that punishment.

5 In determining in the case of any person the end of any such term as is mentioned in paragraph 4 above no account shall be taken—

- (a) in relation to any service under section 14 above, of any day before the day on which that person presented himself in pursuance of the notice to him under section 14(1);
- (b) of any continuous period exceeding 14 days during which that person was absent as a deserter or absent without leave ;
- (c) of any continuous period exceeding 14 days during which that person—
 - (i) was serving, or would if he had not been unlawfully at large have been serving, a term of imprisonment, detention, or detention in a detention centre, or
 - (ii) was detained, or would if he had not been unlawfully at large have been detained, in a borstal institution,
 in pursuance of a sentence of a court or an award by his commanding officer or in default of payment of any sum of money or for doing or failing to do or abstain from doing anything required to be done or left undone.

6 If, in the case of any such term as is mentioned in paragraph 4 above, leave of absence is granted to the person in question for a period comprising or immediately following the date on which that term would otherwise be completed, the Defence Council may postpone the completion of that term until a date not later than the expiry of his leave.

Special agreements and the Territorial Army

7 Any notice given by any person under section 98(1) above of his desire to be discharged from the Territorial Army shall be deemed to include notice of revocation of any agreement entered into by that person for the purposes of section 14 above.

8 If the term of any person's enlistment in the Territorial Army expires during the period specified in any agreement entered into by that person for the purposes of section 14 above or during the term of any service by him by virtue of that section, he shall not be entitled to be discharged from the Territorial Army before the expiry of that period or term.

9 Where a member of the Territorial Army has been called out for army service under section 14 above, and if he so desires, there shall be taken, as soon as may be convenient after the end of the term of his service by virtue of that section, all such steps as are necessary to enable him to serve again in the corps and unit of the Territorial Army in which he was serving at the time when he was so called out.

Application of the Army Act 1955

10 In the case of a person who does not for the time being hold a commission—

- (a) the provisions of the Army Act 1955 applied by paragraph (b) of section 14(3) above shall not include the proviso to section 3(3) and sections 13, 15, 17, or 18(2); and
- (b) section 9(1) of that Act shall not apply by reason only that the person is serving outside the United Kingdom.