



Reserve Forces Act 1996

1996 CHAPTER 14

PART II U.K.

ENLISTMENT AND CONDITIONS OF SERVICE

Enlistment and re-engagement

9 Enlistment of men in the reserve forces. U.K.

- (1) An enlisting officer may enlist as men in any reserve force such persons as he considers suitable.
- (2) In this Part “enlisting officer” means—
 - (a) a lord-lieutenant or deputy lieutenant holding office under [^{F1}the Lieutenancies Act 1997];
 - (b) an officer of the regular services or of any reserve force;
 - (c) any consul-general, consul or vice consul or any other person duly exercising the functions of a British consul in any place outside the United Kingdom.
- (3) A recruit may not be enlisted in any country or territory outside the United Kingdom which is specified for the purposes of this subsection by Her Majesty by Order in Council.
- (4) Schedule 1 (enlistment of men in the reserve forces) shall have effect.
- ^{F2}(5)

Textual Amendments

- F1** Words in s. 9 substituted (1.7.1997) by 1997 c. 23, ss. 8(2), 9(2) (with s. 7(3), Sch. 2 para. 6)
- F2** S. 9(5) repealed (28.3.2009 for specified purposes, 31.10.2009 in so far as not already in force) by Armed Forces Act 2006 (c. 52), s. 383(2), Sch. 17; S.I. 2009/812, art. 3(a)(b) (with transitional provisions in S.I. 2009/1059); S.I. 2009/1167, art. 4

Changes to legislation: Reserve Forces Act 1996, Cross Heading: Enlistment and re-engagement is up to date with all changes known to be in force on or before 01 June 2024. 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) View outstanding changes

10 Enlistment of foreign nationals and residents. **U.K.**

- (1) Orders or regulations under section 4 may provide for the enlistment in any reserve force of persons who are not British citizens or who reside outside the United Kingdom.
- (2) A person who is not a British citizen or who resides outside the United Kingdom may not be enlisted in a reserve force unless his enlistment is permitted by provision made for the purposes of subsection (1).

11 Re-engagement for service. **U.K.**

- (1) A man of a reserve force may be re-engaged for such period, beginning immediately after the end of his current term of service, as may be prescribed.
- (2) A man wishing to re-engage—
 - (a) shall do so before being discharged, but not more than 12 months before the end of his current term of service; and
 - (b) on that re-engagement shall make such declaration as may be prescribed before an enlisting officer.
- (3) A man who has re-engaged under this section may re-engage on a second or subsequent occasion.

12 Service in the reserve land and air forces on enlistment. **U.K.**

- (1) Orders and regulations under section 4 may make provision as to the corps, units or bodies into which persons enlisting in a reserve land or air force may be enlisted.
- (2) Subject to any restriction of choice imposed by or in accordance with orders or regulations under section 4—
 - (a) a man of the [^{F3}Army Reserve] shall be enlisted for service in such corps and posted to such unit as he may select;
 - (b) a man of the Royal Auxiliary Air Force shall be enlisted for service in such unit as he may select; and
 - (c) a man enlisted in the [^{F4}Regular Reserve] or the Air Force Reserve shall be enlisted for service in such military body or air-force body (as the case may be) as he may select.
- (3) A man of the [^{F3}Army Reserve] may not (after his enlistment) be transferred to another corps, or posted or attached to any unit, without his consent.
- (4) A man of the Royal Auxiliary Air Force may not (after his enlistment) be posted or attached to any unit without his consent.
- (5) A man of the [^{F4}Regular Reserve] or Air Force Reserve may not (after his enlistment in or transfer to that force) be appointed, posted, transferred or attached to any military body or air-force body without his consent.
- (6) Subsections (3), (4) and (5) do not apply to a man of a reserve force while he is in permanent service.

Changes to legislation: Reserve Forces Act 1996, Cross Heading: Enlistment and re-engagement is up to date with all changes known to be in force on or before 01 June 2024. 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) View outstanding changes

Textual Amendments

- F3** Words in Act substituted (1.10.2014) by [Defence Reform Act 2014 \(c. 20\), s. 44\(3\)\(b\)\(4\), 50\(1\)](#) (with [s. 49\(4\), Sch. 7 para. 12\(3\)](#)); S.I. 2014/2370, art. 4(a)
- F4** Words in Act substituted (1.10.2014) by [Defence Reform Act 2014 \(c. 20\), s. 44\(3\)\(a\)\(4\), 50\(1\)](#) (with [s. 49\(4\), Sch. 7 para. 12\(3\)](#)); S.I. 2014/2370, art. 4(a)

13 Transfer of men between reserve forces. **U.K.**

- (1) A man serving in an ex-regular reserve force on transfer from the regular services may, with the consent of an authorised officer, enlist in another reserve force.
- (2) A man enlisted in a reserve force (including a man enlisted by virtue of subsection (1)) may, with the consent of an authorised officer, enlist in another reserve force.
- (3) On enlisting in a reserve force by virtue of this section the man concerned shall cease to be a member of the reserve force in which he was previously serving.
- (4) A man originally serving in an ex-regular reserve force on transfer from the regular services who—
 - (a) ceases to be a member of a reserve force in which he enlisted by virtue of this section without enlisting or re-enlisting in another reserve force; and
 - (b) does so before the date on which his term of compulsory service in the ex-regular reserve force to which he was transferred would have expired if he had not ceased to be a member of it on enlisting in another reserve force,shall, unless an authorised officer otherwise directs, again be a man of the ex-regular reserve force to which he was transferred from the regular services.
- (5) A direction by an authorised officer under subsection (4) may be given in respect of—
 - (a) one or more named individuals; or
 - (b) persons of any description specified in the direction.
- (6) In this section “authorised officer” means an officer authorised by or in accordance with directions of the Defence Council to exercise the powers conferred by this section.
- (7) In this Act “term of compulsory service” means the term for which a person is required to serve in an ex-regular reserve force in pursuance of a requirement imposed [^{F5}under the Armed Forces Act 2006.]

Textual Amendments

- F5** Words in s. 13(7) 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. 28](#); 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)

- C1** S. 13(7) modified (24.4.2009 for specified purposes, 31.10.2009 in so far as not already in force) by [The Armed Forces Act 2006 \(Transitional Provisions etc\) Order 2009 \(S.I. 2009/1059\), arts. 1\(3\), 195](#)

Changes to legislation:

Reserve Forces Act 1996, Cross Heading: Enlistment and re-engagement is up to date with all changes known to be in force on or before 01 June 2024. 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.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 2 para. 3(2A) inserted by [2003 c. 44 Sch. 3 para. 65](#)